

EXHIBIT A

BOB GASCOFF
9/21/2012

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<p>IN THE UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA</p> <p>GOV JESSE VENTURA, Plaintiff, vs No 12-472 RHK/AJB CHRIS KYLE, Defendant</p> <p>VIDEOTAPED Deposition of BOB GASCOFF Taken on September 21st, 2012</p>	<p>1 APPEARANCES OF COUNSEL: 2 3 FOR THE PLAINTIFF: 4 5 DAVID BRADLEY OLSEN, ESQ. 6 Henson & Efron, P.A. 7 220 South Sixth Street, Suite 1800 8 Minneapolis, MN 55402-4503 9 612/339-2500 10 dolsen@hensonefron.com 11 12 FOR THE DEFENDANT: 13 14 LEITA WALKER, ESQ. 15 Faegre Baker Daniels LLP 16 2200 Wells Fargo Center 17 90 S. Seventh Street 18 Minneapolis, MN 55402-3901 19 612/766-7000 20 leita.walker@FaegreBD.com 21 22 23 24 25</p>
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<p>1 IN THE UNITED STATES DISTRICT COURT 2 DISTRICT OF MINNESOTA 3 4 GOV JESSE VENTURA, 5 Plaintiff, 6 vs No 12-472 RHK/AJB 7 CHRIS KYLE, 8 Defendant 9 10 VIDEOTAPED DEPOSITION OF BOB 11 GASCOFF, taken on behalf of the Defendant, at the 12 offices of [REDACTED] 13 St Louis, Missouri, on the 21st day of September, 14 2012, before Gretta G Cairatti, RPR, CRR, MO-CCR 15 #790, IL-CSR #084-003418, and Notary Public 16 17 18 19 20 21 22 23 24 25</p>	<p>1 APPEARANCE OF COUNSEL (CONTINUED): 2 3 FOR THE WITNESS: 4 5 WILLIAM DOWD, ESQ. 6 Dowd & Dowd, P.C. 7 211 North Broadway, Suite 450 8 St. Louis, Missouri 63102 9 314-621-2500 10 bill@dowdlaw.net 11 12 - - - - - 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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4	Examination By Ms. Walker	7		
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6	Further Examination By Ms. Walker	136		
7				
8		09:14:16	8	EXAMINATION
9	EXHIBITS	09:14:16	9	QUESTIONS BY MS. WALKER:
10		09:14:16	10	Q Mr. Gassoff, my name is Leita Walker. Is it
11	PAGE	09:14:19	11	okay if I call you Bob or Bobby?
12	Exhibit 1	09:14:20	12	A Yes.
13	Exhibit 2	09:14:21	13	Q Which do you prefer?
14	Exhibit 3	09:14:22	14	A Either --
15	Exhibit 4	09:14:22	15	Q Okay.
16	Exhibit 5	09:14:23	16	A -- is fine.
17	Exhibit 6	09:14:23	17	Q Bobby --
18	Exhibit 7	09:14:23	18	A Bob's fine.
19	Exhibit 8	09:14:23	19	Q -- it is, or Bob.
20	Exhibit 9	09:14:24	20	A Bobby -- Bobby's fine.
21	Exhibit 10	09:14:25	21	Q You and I just met this morning; correct?
22	Exhibit 11	09:14:28	22	A Yes.
23	Exhibit 12	09:14:28	23	Q And we've talked before?
24		09:14:30	24	A Yes.
25		09:14:31	25	Q Can you say for the record the occasions on
		Page 6		Page 8
09:12:51	1	THE VIDEOGRAPHER: We're on the record at	09:14:35	1 which we've spoken?
09:13:11	2	9:12 Here begins videotape number one in the	09:14:36	2 A I guess it was sometime last year when you
09:13:14	3	deposition of Bob Gassoff in the matter of Governor	09:14:41	3 had called to see if I would be willing to make a
09:13:17	4	Jesse Ventura versus Chris Kyle in the United States	09:14:44	4 statement on behalf of Chris for the lawsuit that he
09:13:20	5	District Court, District of Minnesota, Civil	09:14:48	5 was involved in.
09:13:23	6	Case No 12-427	09:14:49	6 Q Okay. And just so you know, the lawsuit was
09:13:26	7	Today's date is September 21, 2012 The	09:14:53	7 filed near the start of this year. So it's been --
09:13:28	8	video operator today is Tom Nickeson This video	09:14:56	8 A This --
09:13:31	9	deposition is taking place at [REDACTED]	09:14:56	9 Q -- within --
09:13:35	10	[REDACTED]	09:14:56	10 A This past --
09:13:38	11	St Louis, Missouri	09:14:56	11 Q -- the last few months.
09:13:39	12	Would counsel please identify themselves for	09:14:57	12 A Yes, this past -- yeah.
09:13:41	13	the record?	09:14:58	13 Q And then we also spoke to set up this
09:13:43	14	MS WALKER: Leita Walker of Faegre Baker	09:15:01	14 deposition; correct?
09:13:44	15	Daniels I represent the Defendant Chris Kyle	09:15:02	15 A Correct.
09:13:51	16	MR DOWD: William Dowd of Dowd & Dowd here	09:15:02	16 Q Have you ever been deposed before?
09:13:52	17	for the witness Robert Gassoff	09:15:04	17 A I have not.
09:13:56	18	MR OLSEN: David Bradley Olsen, Henson &	09:15:05	18 Q Okay. I'll go over just a few ground rules.
09:13:58	19	Efron in Minneapolis on behalf of Governor Jesse	09:15:07	19 One, you understand that you're under oath and that
09:14:00	20	Ventura	09:15:10	20 what you say here is just like you're saying it in a
09:14:01	21	THE VIDEOGRAPHER: Thank you The court	09:15:12	21 courtroom in front of a judge and jury. Do you
09:14:03	22	reporter today is Gretta Cairatti Would the	09:15:15	22 understand that?
09:14:06	23	reporter please swear in the witness?	09:15:15	23 A Yes.
09:14:06	24		09:15:16	24 Q If I don't -- if I ask a question that you
09:14:07	25		09:15:19	25 don't understand, just say so and I'll try to

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09:15:21	1	rephrase it. Don't try to guess at what I'm asking,	09:17:12	1	Q And what are your responsibilities in that
09:15:23	2	or -- or speculate.	09:17:13	2	job?
09:15:25	3	If there's a question you don't know the	09:17:14	3	A [REDACTED]
09:15:27	4	answer to, it's okay to say, I don't know. Do you	09:17:19	4	[REDACTED]
09:15:30	5	understand that?	09:17:22	5	[REDACTED]
09:15:31	6	A Yes.	09:17:24	6	Q And how long have you worked here?
09:15:32	7	Q Try to answer verbally like you're doing	09:17:26	7	A [REDACTED]
09:15:34	8	with a yes or a no. Try not to shake your head, or	09:17:31	8	[REDACTED]
09:15:37	9	nod, or say uh-huh, or huh-uh, because it's hard for	09:17:36	9	Q So in 2008 you ended active duty?
09:15:41	10	the court reporter to pick that up.	09:17:40	10	A Correct
09:15:43	11	And then if at any time you want to take a	09:17:41	11	Q When did you first enlist in the military?
09:15:44	12	break, we can say so. I don't think this'll take	09:17:46	12	A It was Fall of 2003
09:15:46	13	long this morning, but we can stop at any time	09:17:55	13	Q And how old were you at the time?
09:15:49	14	and --	09:17:58	14	A [REDACTED]
09:15:49	15	A Okay.	09:18:02	15	Q What had you done before that --
09:15:49	16	Q -- take a break.	09:18:02	16	A I played --
09:15:52	17	MS. WALKER: Mark this as Exhibit 1.	09:18:05	17	Q -- from high school through age [REDACTED]
09:16:06	18	(Exhibit 1 marked for identification.)	09:18:08	18	A I played college hockey at University of
09:16:06	19	QUESTIONS BY MS. WALKER:	09:18:11	19	Michigan, and went on to play a couple years of pro
09:16:06	20	Q Do you recognize this document?	09:18:14	20	hockey And left my hockey career to pursue my
09:16:07	21	A Yes, I do.	09:18:18	21	military career
09:16:08	22	Q And what is it?	09:18:20	22	Q And did you immediately join the SEALS back
09:16:09	23	A This was a declaration that I had made to	09:18:24	23	in 2003 or did you go through some other branch
09:16:14	24	you earlier this year.	09:18:27	24	first?
09:16:15	25	Q And if you flip to the back page, is that	09:18:27	25	A I went through what's called Officer
		Page 10			Page 12
09:16:17	1	your signature?	09:18:30	1	Candidate School, which was basically a boot camp
09:16:19	2	A Yes, it is.	09:18:35	2	for officers And so I went to Pensacola, and upon
09:16:22	3	Q I'll give you a minute to read through this	09:18:39	3	graduation from OCS I went to Cornell for my SEAL
09:16:24	4	if you want, but does this appear to be a true and	09:18:43	4	training, BUD/S -- BUD/S training
09:16:28	5	accurate copy of the dec -- declaration you signed	09:18:44	5	Q What made you want to become a SEAL?
09:16:30	6	in April of 2012?	09:18:47	6	A You know, on my -- my mother's side, I had
09:16:31	7	A Yes, it does.	09:18:51	7	an uncle who flew around the Vietnam era, a
09:16:32	8	Q Are the statements within this declaration	09:18:56	8	grandfather who was in World War II, and great
09:16:40	9	true and correct?	09:18:58	9	grandfather who was World War I, and had always
09:16:41	10	A Yes.	09:19:01	10	felt, you know, compelled to do my part and -- and
09:16:43	11	MR. OLSEN: Objection, leading. Did you get	09:19:02	11	serve and give back
09:16:48	12	the objection on the record?	09:19:03	12	Q Why a SEAL instead of a Marine or a soldier
09:16:49	13	THE COURT REPORTER: I did.	09:19:08	13	of some other branch?
09:16:53	14	QUESTIONS BY MS. WALKER:	09:19:09	14	A My -- my aunt's husband, uncle at the time,
09:16:54	15	Q Where do you live, Mr. Gassoff?	09:19:15	15	was -- was flying He was a reserve SEAL -- or
09:16:55	16	A Here in St. Louis, Missouri.	09:19:19	16	not -- he was a reserve pilot and knew some SEALS
09:16:56	17	Q What's your address?	09:19:22	17	and would tell me stories about some of the SEAL
09:16:57	18	A [REDACTED]	09:19:25	18	experiences with his friends, and got my interested
09:17:00	19	Q And how old are you?	09:19:28	19	And being a hockey player my whole life, always
09:17:01	20	A [REDACTED]	09:19:31	20	being a part of that team element, aspect, that
09:17:02	21	Q What's your current occupation?	09:19:34	21	sounded like that's what I wanted to -- to do if I
09:17:05	22	A [REDACTED]	09:19:37	22	wasn't playing hockey
09:17:09	23	[REDACTED]	09:19:40	23	Q So you served from 2003 to 2008, so about
09:17:10	24	Q Here in St. Louis?	09:19:45	24	five years?
09:17:11	25	A Yes.	09:19:45	25	A Correct

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09:19:46	1	Q And are you now in the reserves or		09:21:50	1	War on Terror Expedition, Global War on Terror	
09:19:48	2	anything like that?		09:21:53	2	Service, Sea Service Deployment Ribbon, Marksman,	
09:19:49	3	A I'm in active reserve, yes		09:22:02	3	rifle, pistol	
09:19:51	4	Q Active reserve?		09:22:03	4	Q Is there one you're particularly proud of	
09:19:52	5	A Correct		09:22:06	5	above the rest?	
09:19:53	6	Q As a SEAL, did you have to take an oath of		09:22:07	6	A Probably the Naval Commendation Medal with	
09:19:59	7	honesty?		09:22:11	7	Combat V	
09:20:00	8	A Yes		09:22:12	8	Q And who is that medal awarded to?	
09:20:01	9	Q And as an active reserve SEAL, do you		09:22:15	9	A To -- to me	
09:20:04	10	have -- are you obligated to -- are you -- are you		09:22:16	10	Q What -- what I meant to ask is what is the	
09:20:07	11	under an oath of honesty?		09:22:19	11	criteria for receiving that?	
09:20:10	12	A As -- as far as I know, yes		09:22:21	12	A I -- I don't know what the official	
09:20:11	13	Q What SEAL team were you on initially?		09:22:25	13	definition of -- of the criteria, but basically it's	
09:20:18	14	A SEAL Team 7		09:22:32	14	a -- it's a high level achievement award, and the	
09:20:20	15	Q And did you stay on SEAL Team 7 through your		09:22:37	15	Combat V signifies an even greater level of an award	
09:20:23	16	five years of active duty?		09:22:42	16	under combat situations It's one level below	
09:20:24	17	A Yes The -- the SEAL Team 7 was the only --		09:22:48	17	Bronze Star	
09:20:27	18	I wasn't there all five years because I had to go		09:22:49	18	Q So you're calm under pressure; is --	
09:20:29	19	through training But once I was on the team, that		09:22:49	19	A Yes	
09:20:32	20	was the only team I was on		09:22:52	20	Q -- that fair to say? When you moved from	
09:20:33	21	Q Okay And are you assigned to a team now		09:22:56	21	active duty to active reserve, did that involve a	
09:20:35	22	that you're an active reserve?		09:22:59	22	discharge, or how does that work?	
09:20:37	23	A I am assigned to a geographical combatant		09:23:02	23	A Technically, it is -- it's a discharge from	
09:20:42	24	command, Special Operations Command Africa		09:23:05	24	active duty service and a re-ascension into Naval	
09:20:47	25	Q But not a particular number team?		09:23:11	25	reserve service They're actually two different	
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09:20:49	1	A Not a numbered team, no		09:23:14	1	systems.	
09:20:51	2	Q While you were on SEAL Team 7, were you		09:23:14	2	Q Was the discharge from active duty	
09:20:56	3	deployed?		09:23:16	3	honorable?	
09:20:56	4	A Yes		09:23:17	4	A Yes.	
09:20:56	5	Q And how many times?		09:23:18	5	Q And have you gone overseas as part of your	
09:20:57	6	A Three, four		09:23:22	6	active reserve commitment?	
09:21:04	7	Q Where were you deployed to?		09:23:24	7	A Yes.	
09:21:06	8	A There's -- there's -- there's some -- you		09:23:25	8	Q And can you say where you've been?	
09:21:08	9	know, full deployment to Iraq, and then there were		09:23:27	9	A Germany.	
09:21:11	10	some -- some shorter trips		09:23:31	10	Q When was that?	
09:21:12	11	Q And can you disclose the locations of the		09:23:33	11	A 2000 -- this year, 2012 January.	
09:21:14	12	shorter trips?		09:23:38	12	Q And was that in a combat role or --	
09:21:14	13	A I don't believe I can		09:23:41	13	A No.	
09:21:15	14	Q Okay So the longer deployment was to Iraq		09:23:41	14	Q -- what was the -- what was the assignment?	
09:21:18	15	A Yes		09:23:43	15	A Administrative.	
09:21:19	16	Q And when was that?		09:23:44	16	Q Okay. Do you know Chris Kyle?	
09:21:20	17	A It was Summer 2007		09:23:48	17	A Yes, I do.	
09:21:28	18	Q Were you awarded any medals as a SEAL?		09:23:49	18	Q And do you re -- recall when you met Chris	
09:21:31	19	A Yes		09:23:51	19	Kyle?	
09:21:31	20	Q What medals were you awarded, or other		09:23:51	20	A I don't recall the -- the actual first time	
09:21:35	21	honors?		09:23:56	21	we met. It would have been sometime in the year	
09:21:36	22	A Naval Achievement Medal, Naval Commendation		09:24:03	22	2006 before -- before his -- his unit deployed.	
09:21:39	23	Medal with Combat V, Combat Action Ribbon		09:24:09	23	Q Okay. So while you were still on active	
09:21:46	24	Q Is that three different ones, or --		09:24:11	24	duty?	
09:21:48	25	A Well, there's -- there's a bunch Global		09:24:11	25	A Correct.	

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09:24:11	1	Q And do -- was it before or after you had		09:26:34	1	Q November '04?	
09:24:14	2	been to Iraq, do you recall?		09:26:36	2	A Yes	
09:24:15	3	A It was before I had been to Iraq		09:26:37	3	Q Now, is BUD/S different than SQT?	
09:24:22	4	Q What was the occasion for the meeting with		09:26:42	4	A It is	
09:24:24	5	Chris?		09:26:43	5	Q BUD/S comes first?	
09:24:25	6	A I don't recall It would have just been in		09:26:44	6	A BUD/S is the basic training, SQT is advanced	
09:24:28	7	passing One of my best friends and -- and a couple		09:26:48	7	SEAL training	
09:24:31	8	of my -- my close friends were mem -- same members		09:26:49	8	Q When did you graduate from SQT?	
09:24:34	9	of the platoon, so it would have been kind of in		09:26:52	9	A So that was Summer of '05	
09:24:37	10	passing, interactions with my friends		09:26:58	10	Q And then would you have deployed immediately	
09:24:39	11	Q What was the platoon you were in?		09:27:02	11	after that? You said you were in Iraq in '07, and	
09:24:42	12	A SEAL Team 7 Charlie Platoon		09:27:08	12	there were some other deployments	
09:24:45	13	Q And was Chris in Charlie Platoon?		09:27:09	13	A I did have to go on deployment shortly after	
09:24:51	14	A No, he was on a different team He was		09:27:12	14	I graduated and went to Team 7 My team was already	
09:24:53	15	Team 3		09:27:16	15	deployed and I went forward to meet them	
09:24:54	16	Q Within the same platoon, or a different		09:27:17	16	Q And when you went to Iraq in the Summer of	
09:24:57	17	platoon?		09:27:23	17	'07, how long were you there?	
09:24:57	18	A He was a Charlie -- I believe he was Charlie		09:27:24	18	A It was about six months	
09:25:00	19	Platoon for SEAL Team 3, but not SEAL Team 7		09:27:29	19	Q Were you ever deployed with Chris?	
09:25:04	20	Q And so as members of the same platoon, you		09:27:31	20	A I was not	
09:25:08	21	had mutual friends, is that -- or put it in your own		09:27:34	21	Q Are you aware that Chris was a sniper?	
09:25:13	22	words		09:27:37	22	A Yes	
09:25:13	23	A Our -- our platoon --		09:27:38	23	Q Was that your role as well?	
09:25:14	24	Q I don't want --		09:27:39	24	A It was not	
09:25:14	25	A Our platoons were really -- as I said, we		09:27:40	25	Q What was your role?	
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09:25:16	1	were on different teams Our platoons, even though		09:27:41	1	A I was an officer, lieutenant junior grade,	
09:25:19	2	we were both Charlie Platoon, there's really not a		09:27:45	2	and was a SEAL squad commander	
09:25:21	3	direct correlation It's -- we're all segmented by		09:27:49	3	Q And what does that mean?	
09:25:25	4	teams and then subdivided within those teams into,		09:27:50	4	A I had the direct responsibility for about	
09:25:25	5	you know, platoons, Alpha, Bravo, Charlie, Delta,		09:27:55	5	ten guys, my assault squad, and second command of	
09:25:31	6	Echo, Foxtrot		09:28:01	6	our platoon, which was about 20 people	
09:25:31	7	Q Okay But you met -- if I understand what		09:28:06	7	Q Were you in command of Marc Lee?	
09:25:35	8	you said before, you met because you had some mutual		09:28:13	8	A Not at SEAL Team 7	
09:25:37	9	friends in a social setting?		09:28:15	9	Q Okay Was he on a different team?	
09:25:39	10	A Correct I mean, I don't recall		09:28:17	10	A He was a Team 3	
09:25:42	11	specifically when I would have met Chris I didn't		09:28:17	11	Q And you mentioned Mikey Monsoor before How	
09:25:44	12	really know Chris well before my -- my friend Marc		09:28:21	12	do you know Mikey Monsoor?	
09:25:48	13	Lee was killed That's -- when Marc was killed, and		09:28:22	13	A I knew Mikey because he was in the class --	
09:25:51	14	then Mikey was killed, that's when I got to know		09:28:25	14	the BUD/S class ahead of my class, Marc and I's	
09:25:54	15	Chris better I knew a couple of the other guys in		09:28:27	15	class	
09:25:57	16	the platoon certainly better		09:28:27	16	Q Were you ever deployed with either of them?	
09:25:59	17	Q Okay And how did you know Marc Lee?		09:28:30	17	A No	
09:26:02	18	A Marc Lee was my swim buddy all through		09:28:31	18	Q What team was Mikey on?	
09:26:06	19	BUD/S, which is our basic SEAL training So for		09:28:35	19	A Three	
09:26:09	20	about seven months we were adjoined at the hip		09:28:35	20	Q So Mikey and Marc were on the same team	
09:26:12	21	Q Yeah I'm very sorry he died When were		09:28:40	21	A Correct	
09:26:15	22	you in BUD/S?		09:28:41	22	Q Would they have deployed together?	
09:26:16	23	A It was 2004 We started in April I		09:28:43	23	A Yes	
09:26:24	24	believe we classed up in April and we graduated		09:28:54	24	Q How did Mikey die?	
09:26:27	25	November -- November 5th, around there, 2004		09:29:06	25	A Sorry	

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09:29:06	1	Q I'm sorry Take your time		09:32:07	1	and retraining in all of our different skill sets			
09:29:17	2	A So Mike was -- from what I understand, Mike		09:32:11	2	before we went out the door			
09:29:24	3	was on the rooftop in Ramadi when his platoon was		09:32:13	3	Q So if you were deployed in Summer of '07,			
09:29:27	4	doing what they were -- called clearance and hold		09:32:17	4	they would have been deployed in Summer of '06?			
09:29:30	5	operations in Ramadi, which is a very bad place at		09:32:19	5	A Correct It was generally the -- our -- our			
09:29:34	6	the time they were there in '06 It was a very,		09:32:22	6	two teams mirrored each other's deployment cycles a			
09:29:37	7	what we call a non-permissive environment It was		09:32:26	7	year behind So start in April, and redeploy			
09:29:40	8	pretty much 100 percent insurgents held		09:32:30	8	stateside in October/November			
09:29:45	9	And they were on top of a rooftop Mike,		09:32:34	9	Q Did you go to Marc Lee's funeral?			
09:29:50	10	three other SEALs, a couple of Iraqi Army people,		09:32:36	10	A Yes			
09:30:00	11	and they were in a sniper -- what we call a sniper		09:32:36	11	Q Do you recall -- if he died at the beginning			
09:30:03	12	over-watch position And it was an urban setting		09:32:38	12	of August, do you recall about when that would have			
09:30:08	13	It's very difficult to defend your flanks in an		09:32:41	13	been?			
09:30:12	14	urban setting and some insurgents got inside their		09:32:42	14	A Marc was -- was killed in -- on August 2nd			
09:30:16	15	safety perimeter and someone lobbed a grenade up on		09:32:49	15	Q That was the date of the funeral or the date			
09:30:20	16	the rooftop		09:32:51	16	of his death?			
09:30:22	17	From what I was told, it actually hit Mike		09:32:51	17	A That was the day he was killed			
09:30:24	18	in -- in the chest and dropped to his feet Again,		09:32:53	18	Q Okay And was his funeral within a week			
09:30:30	19	from what I know, Mike was actually the only one who		09:32:56	19	after that, or does it take longer?			
09:30:33	20	was in a position to get out of the danger zone		09:32:59	20	A It -- it really varies It -- I can't			
09:30:36	21	because he was at the top of a stairwell, and rather		09:33:04	21	recall exactly how long it was after I was -- I			
09:30:41	22	than -- than vacating the scene, he yelled, Grenade,		09:33:08	22	would assume it was within a week A week to two			
09:30:44	23	to his teammates, and fell on the grenade and		09:33:13	23	weeks			
09:30:52	24	Q Again, I'm very sorry		09:33:15	24	Q And had you -- do you know Marc's mother?			
09:30:55	25	Were you in Iraq -- if you -- if you know,		09:33:18	25	A Yes, I do			
				Page 22					Page 24
09:30:59	1	what was the time frame between when Marc was killed		09:33:18	1	Q And what's her name?			
09:31:02	2	and when Mikey was killed?		09:33:19	2	A Debbie Lee			
09:31:04	3	A Mikey was killed at the -- the end of		09:33:21	3	Q When did you first meet her?			
09:31:08	4	September and Marc was killed at the beginning of		09:33:23	4	A I had met her briefly at -- at BUD/S			
09:31:11	5	August		09:33:28	5	graduation but I really didn't get to know her until			
09:31:17	6	Q And my understanding, correct me if you know		09:33:33	6	after Marc's death			
09:31:22	7	one way or another, is that Marc was the first SEAL		09:33:36	7	Q And did you have any official role at his			
09:31:24	8	killed in Iraq?		09:33:38	8	funeral?			
09:31:25	9	A He was		09:33:39	9	A I did I was the -- what we call the CACO			
09:31:26	10	Q And was Mikey the second?		09:33:42	10	officer, the NSW CACO, which is the Casualty			
09:31:27	11	A Yes		09:33:45	11	Assistance Care Officer, which is an official			
09:31:28	12	Q And were there others you knew who were		09:33:48	12	position that -- someone from the Navy is the			
09:31:33	13	killed in Iraq?		09:33:51	13	official Navy CACO, but we usually have, in our			
09:31:34	14	A Yes		09:33:54	14	community, an NSW, Naval Special Warfare, CACO			
09:31:34	15	Q How many?		09:33:58	15	representative, which is a personal friend and face			
09:31:36	16	A Between Iraq and Afghanistan, a lot		09:34:01	16	of our community in addition to supporting the			
09:31:43	17	Q Were you in Iraq at the time Mikey and Marc		09:34:05	17	Navy -- official Navy CACO			
09:31:46	18	were killed?		09:34:08	18	And there's a lot of responsibilities from			
09:31:47	19	A No		09:34:11	19	just making sure that the family is -- is generally			
09:31:47	20	Q Where were you?		09:34:15	20	okay and getting everything that they need, as well			
09:31:49	21	A I was stateside We were in the middle of		09:34:18	21	as helping to make sure that all the -- the			
09:31:53	22	what we call our work-up to deploy Our deployment		09:34:20	22	financial obligations of the Government, and the			
09:31:57	23	would take place approximately a year after Marc and		09:34:25	23	wills are executed, and the family gets personal			
09:32:00	24	Mike's team was deployed So we were, you know,		09:34:27	24	effects and belongings Make sure there's an open			
09:32:05	25	going through all of our, you know, requals and --		09:34:32	25	communication and network to our community			

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09:34:35	1	Q	And is there someone like that assigned to		09:37:09	1	Q	At the graveside?	
09:34:38	2		each member of the family, or to the family as a		09:37:10	2	A	Yes.	
09:34:40	3		whole?		09:37:12	3	Q	Do you have any sense for how long the	
09:34:40	4	A	Generally it's -- it's one person It		09:37:14	4		church and graveside service would have lasted?	
09:34:44	5		depends on the situation, though It can vary So		09:37:17	5	A	Hour to an hour and a half, maybe. I -- I	
09:34:48	6		Marc was actually married, and his wife was in New		09:37:24	6		really don't know.	
09:34:51	7		York, and she had a NSW CACO, and I was the one that		09:37:25	7	Q	Okay.	
09:34:55	8		was assigned to Marc's mom in Arizona		09:37:26	8	A	For each.	
09:34:59	9	Q	And did you accompany her to the funeral?		09:37:28	9	Q	Were you living in San Diego at the time?	
09:35:01	10	A	I did		09:37:31	10	A	I was.	
09:35:02	11	Q	Did you go to Mikey Monsoor's funeral?		09:37:32	11	Q	Okay. And the date -- or the location on	
09:35:07	12	A	I did		09:37:36	12		the front of the funeral program says San Diego,	
09:35:07	13	Q	And do you recall when that was?		09:37:38	13		California. Is that where Mikey's funeral was?	
09:35:09	14	A	I don't remember the exact day Again, it		09:37:42	14	A	Yes.	
09:35:15	15		would have been probably a week or two after --		09:37:43	15	Q	Were you living on the base at the time?	
09:35:19	16		after he was killed		09:37:46	16	A	I did not live on base. I lived out in town	
09:35:19	17	Q	Which was at the end of September		09:37:49	17		in a -- in my own apartment in Coronado.	
09:35:21	18	A	Correct		09:37:54	18	Q	Do you want to take a break?	
09:35:43	19	MS WALKER:	Mark this as Exhibit 2		09:37:55	19	A	I'm okay.	
09:35:46	20		(Exhibit 2 marked for identification)		09:37:56	20	Q	Okay. If we can estimate, which I think you	
09:35:46	21	QUESTIONS BY MS WALKER:			09:38:03	21		did, that the funeral and graveside service lasted	
09:35:47	22	Q	Have you ever seen this document before?		09:38:06	22		about an hour and a half, would you say that puts us	
09:35:48	23	A	Yes		09:38:10	23		at about early afternoon on October 12th?	
09:35:48	24	Q	And can you tell me what it is?		09:38:15	24	A	Yes, around there.	
09:35:51	25	A	This is the memorial program for Mike's		09:38:17	25	Q	As best you recall?	
				Page 26					Page 28
09:35:55	1		funeral.		09:38:18	1	A	As best I recall, yes	
09:35:56	2	Q	Does it appear to be a true and accurate		09:38:20	2	Q	And after the graveside service, did you go	
09:35:59	3		copy?		09:38:24	3		have lunch, or go back to your apartment, or where	
09:35:59	4	A	Yes, it does.		09:38:28	4		did you go?	
09:36:00	5	Q	If you look at the bottom of the right-hand		09:38:28	5	A	I -- it's hard to recall the events six	
09:36:06	6		side of the first page, there's a date that says		09:38:30	6		years ago but generally we would have all been in	
09:36:09	7		October 12, 2006.		09:38:35	7		uniform and -- and guys would have gone home to	
09:36:12	8	A	Yes.		09:38:38	8		dress down and change out before they met up later	
09:36:13	9	Q	Was that the date of his funeral?		09:38:43	9		that afternoon, evening	
09:36:15	10	A	Yes.		09:38:44	10	Q	Do you recall specifically what you did or	
09:36:15	11	Q	Do you remember what time of day his funeral		09:38:47	11		is that just typically what would have happened?	
09:36:24	12		started?		09:38:49	12	A	Unfortunately, I've been to so many	
09:36:25	13	A	No, I -- I don't remember the exact time. I		09:38:51	13		funerals, it's hard to place the exact events of	
09:36:32	14		would say it's probably around noon.		09:38:54	14		what I did on that one six years ago, but I would	
09:36:39	15	Q	And --		09:38:58	15		have probably have gone home and changed and had	
09:36:40	16	A	Ten, 11, noon, around -- around there. Late		09:39:00	16		lunch and met everybody at -- since it was in	
09:36:42	17		morning, afternoon.		09:39:04	17		San Diego, everybody generally meets at McP's	
09:36:43	18	Q	Okay. Civilian funerals generally last an		09:39:07	18		afterwards for a wake	
09:36:47	19		hour. Is -- Is that typical of a SEAL funeral as		09:39:09	19	Q	And what is McP's?	
09:36:50	20		well?		09:39:11	20	A	McP's is an Irish bar on Coronado It's --	
09:36:50	21	A	No.		09:39:17	21		it's kind of one of two spots where, you know, SEALS	
09:36:52	22	Q	Okay. Was there a service at a church?		09:39:20	22		get together It's kind of dubbed as a SEAL bar,	
09:36:54	23	A	If -- if I recall correctly, we had a		09:39:24	23		but generally after graduations and/or funerals,	
09:36:59	24		service at a church, yes. And then -- then a		09:39:33	24		that's kind of the spot where everybody will gather	
09:37:08	25		service afterwards.		09:39:35	25		after everything's done	

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09:39:37	1	Q	What's the other SEAL bar at Coronado?		09:42:17	1	A	I did.	
09:39:40	2	A	Danny's		09:42:18	2	Q	Do you recall what time you got there?	
09:39:41	3	Q	Okay And how far apart are they?		09:42:19	3	A	I do not.	
09:39:44	4	A	Probably a 30 second walk		09:42:20	4	Q	And do you recall if it was daylight?	
09:39:46	5	Q	Just down the block?		09:42:23	5	A	It was daylight when I got there.	
09:39:47	6	A	Yeah	(Exhibit 3 marked for identification)	09:42:26	6	Q	Did you arrive with anyone? Did you share a car or a cab?	
09:40:06	7				09:42:33	7	A	I don't remember.	
09:40:08	8	QUESTIONS BY MS WALKER:			09:42:35	8	Q	Do you recall how many people were there when you arrived, ballpark?	
09:40:08	9	Q	The court reporter has handed you what's been marked as Exhibit 3, and I'll represent to you		09:42:38	9	A	I mean, it was pretty crowded. I have no idea. A couple hundred.	
09:40:10	10				09:42:40	10	Q	Shoulder to shoulder?	
09:40:13	11				09:42:42	11	A	Yes.	
09:40:18	12				09:42:46	12	Q	Line at the bar?	
09:40:23	13				09:42:48	13	A	Yes.	
09:40:25	14				09:42:49	14	Q	Was it -- what was the volume level? Was it loud?	
09:40:25	15	A	Yes, it is		09:42:50	15	A	Loud, yeah. Loud because of there was so many people there, sure.	
09:40:29	16	Q	And if you look at the sixth page, and they're front and back, this one that has -- it appears to be -- there's a trolley on the left-hand side --		09:42:50	16	Q	Were individual people being loud or it was just the --	
09:40:38	17				09:42:51	17	A	It was just a general loud.	
09:40:42	18				09:43:00	18	Q	In aggregate.	
09:40:45	19	A	Okay		09:43:00	19	A	Yeah.	
09:40:46	20	Q	-- and an American flag sort of in the center of the picture Is that the front of McP's?		09:43:04	20			
09:40:49	21				09:43:07	21			
09:40:52	22	A	Yes		09:43:09	22			
09:40:54	23	MR OLSEN:	For the record, can you state which page of this exhibit you're looking at?		09:43:10	23			
09:40:56	24				09:43:13	24			
	25				09:43:16	25			
				Page 30					Page 32
09:40:59	1	MS. WALKER:	It's the back of the third sheet of paper. The sixth page.		09:43:16	1	Q	Do you remember who else was there from the SEAL community?	
09:41:01	2				09:43:25	2	A	Specifically, no I mean, it would have been anybody who was a SEAL who was around at that time Anybody from students, to guys in my platoon, guys in Marc and Mike's platoon, family, lots of people	
09:41:10	3	QUESTIONS BY MS. WALKER:			09:43:27	3	Q	And so the tradition is, the entire community attends even if they didn't personally know Mikey?	
09:41:10	4	Q	And do you know, this street that's in the foreground of the photograph, what street is that?		09:43:30	4	A	Correct	
09:41:13	5				09:43:34	5	Q	As a show of support	
09:41:15	6	A	That would be Orange Avenue.		09:43:40	6	A	Correct	
09:41:20	7	Q	Does that street run east and west or north and south, do you know?		09:43:44	7	Q	Do you remember if Andrew Paul was there?	
09:41:24	8				09:43:45	8	A	I don't remember	
09:41:25	9	A	So it -- it kind of turns. That actually runs southwest and northeast. It runs east/west and then it turns to go southwest and northeast.		09:43:48	9	Q	Do you remember if Debbie Lee was there?	
09:41:29	10	Q			09:43:50	10	A	Debbie Lee was there	
09:41:37	11				09:43:51	11	Q	Do you remember if Debbie Job was there?	
09:41:41	12	Q	If you're looking at this picture, would Danny's be to the left or to the right?		09:43:52	12	A	Debbie Job was there	
09:41:44	13				09:43:53	13	Q	And who is Debbie Job?	
09:41:46	14	A	Left.		09:43:54	14	A	Debbie Job is Ryan Job's mother	
09:41:47	15	Q	So to go back to where we were at a minute ago, you -- you said you went to Mikey's funeral.		09:43:56	15	Q	And who is Ryan Job?	
09:41:59	16				09:44:01	16	A	Ryan Job was another member of my BUD/S class, in my platoon going through BUD/S Was also in Marc and Mikey Monsoor's platoon at -- at Team 3	
09:42:01	17				09:44:04	17			
09:42:03	18				09:44:06	18			
09:42:06	19				09:44:09	19			
09:42:08	20				09:44:10	20			
09:42:09	21				09:44:12	21			
09:42:13	22				09:44:14	22			
09:42:15	23				09:44:16	23			
09:42:15	24	A	Correct.		09:44:21	24			
09:42:17	25	Q	And did you gather at McP's that -- that day?		09:44:24	25			

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09:44:32	1	Q And is Ryan still alive?	09:47:24	1 you arrived?
09:44:34	2	A He's not.	09:47:27	2 A I don't remember exactly.
09:44:36	3	Q My understanding is that he died after	09:47:30	3 Q And just so it's clear for the record, when
09:44:38	4	returning to the United States; is that correct?	09:47:31	4 I talk about the wake, I'm talking about the
09:44:41	5	A Correct.	09:47:34	5 unofficial informal event that happened at McP's --
09:44:42	6	Q But as a result of injuries he sustained in	09:47:38	6 A Okay.
09:44:45	7	Iraq.	09:47:38	7 Q -- and not a wake at a funeral home.
09:44:46	8	A That's correct.	09:47:45	8 Did he arrive shortly before or after you
09:44:47	9	Q Was Ryan at McP's?	09:47:48	9 got there?
09:44:54	10	A Yes, he was.	09:47:49	10 A I--
09:44:55	11	Q Had he sustained his injuries at that time?	09:47:50	11 Q Let me rephrase that question. You don't
09:45:00	12	A He had.	09:47:52	12 know if he was there when you got there, and you
09:45:01	13	Q And what was his primary injury?	09:47:55	13 can't recall exactly when he arrived if he wasn't
09:45:03	14	A He was severely wounded to the face by	09:47:59	14 already there. Do you know if he was there for the
09:45:09	15	bullet fragments and had lost both his -- both his	09:48:04	15 majority of the time that you were there?
09:45:13	16	eyes. He had lost one eye completely and he was	09:48:05	16 A Yes, he was.
09:45:16	17	blinded in his other -- his good eye. So he was	09:48:07	17 Q And this was not the first time you had met
09:45:19	18	completely blind.	09:48:11	18 him; correct?
09:45:21	19	Q How long before Mikey's funeral had this	09:48:12	19 A I don't believe so. I mean, we had not
09:45:24	20	happened, if you know?	09:48:15	20 really had a lot of interaction before, just in --
09:45:26	21	A This happened on the night that Marc Lee was	09:48:18	21 in passing, but that was probably the first time I
09:45:29	22	killed, so it would have been Aug -- August 2nd.	09:48:22	22 had had a lot of interaction with Chris. I remember
09:45:32	23	Q Did Debbie or Ryan have someone with them	09:48:24	23 him being -- standing next to Ryan Job and I, and a
09:45:47	24	similar to your role with Debbie Lee?	09:48:29	24 few other people, for several minutes.
09:45:50	25	A I can't recall exactly. I mean, when I	09:48:35	25 Q You had seen him around enough that you
		Page 34		Page 36
09:45:54	1	saw -- I don't know if he had anybody officially	09:48:38	1 recognized him --
09:45:57	2	with him but I know when he was at McP's, when I saw	09:48:39	2 A Correct
09:46:01	3	him, a lot of my classmates from -- and we were	09:48:40	3 Q -- when you saw him at McP's?
09:46:04	4	altogether, were constantly around him as well as	09:48:42	4 A Correct
09:46:07	5	his platoon mates	09:48:43	5 Q Do you remember what time of day it was when
09:46:13	6	Q And I can't remember if you said this or	09:48:51	6 the two of you were standing with Ryan? Was it
09:46:15	7	not Were you still serving as a sort of escort for	09:48:53	7 still daylight out? Was it early evening? Late in
09:46:18	8	Debbie Lee at this time?	09:48:56	8 the night?
09:46:20	9	A Yes I mean, my official duties as CACO	09:48:56	9 A It was probably later in the afternoon
09:46:24	10	were -- were -- were over, but I was continuing to	09:48:59	10 getting towards nighttime
09:46:27	11	be the face, you know, for her, and I escorted her	09:49:01	11 Q And if you look back at Exhibit 3, and I'll
09:46:33	12	to Mike Monsoor's funeral	09:49:06	12 let you figure out which page is the easiest one to
09:46:39	13	Q Do you remember if Jeremiah Danell was at	09:49:11	13 use to demonstrate, but my question is, do you
09:46:43	14	the wake at McP's?	09:49:15	14 recall where you would have been standing when you
09:46:44	15	A I don't recall exactly	09:49:19	15 were standing with Chris and Ryan Job?
09:46:47	16	Q Do you remember if Matt Lennig was there?	09:49:22	16 A Yeah So if you look on the -- one, two --
09:46:55	17	A Hard to say Probably was	09:49:26	17 third page, it has the picture of the patio and
09:47:03	18	Q Do you keep in touch with him?	09:49:30	18 parking lot, it would have been generally right
09:47:04	19	A I do see Matt from time to time, yes	09:49:32	19 around the middle of that patio, in between the
09:47:11	20	Q Where does he live, if you know?	09:49:35	20 trees
09:47:13	21	A I think he's still living in the San Diego	09:49:35	21 MR OLSEN: Can we clarify which picture
09:47:16	22	area	09:49:37	22 we're looking at, if you just number the pictures 1,
09:47:19	23	Q Was Chris Kyle at the wake?	09:49:38	23 2 --
09:47:21	24	A Yes, he was	09:49:38	24 MS WALKER: Sure
09:47:22	25	Q And do you remember if Chris was there when	09:49:38	25 MR OLSEN: -- 3, in consecutive order

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09:49:42	1	QUESTIONS BY MS WALKER:	09:52:55	1 it's hard to really recall I just -- I remember
09:49:43	2	Q I think we're looking at the third picture;	09:52:57	2 those people because Chris and -- and Kevin and
09:49:44	3	is that right?	09:53:02	3 those guys were pretty much at Ryan's side the whole
09:49:46	4	A One, two -- correct	09:53:05	4 time, that I remember, or a majority of the time,
09:49:57	5	Q And if you would, go ahead and mark on your	09:53:09	5 anyway
09:49:59	6	exhibit, just draw an arrow out to the white space	09:53:09	6 Q And you may have said this Are you talking
09:50:03	7	so we can read your writing, and mark where you were	09:53:11	7 about Kevin Lacz?
09:50:07	8	standing with Chris and Ryan	09:53:12	8 A Correct
09:50:29	9	MR OLSEN: Before you question him, can you	09:53:13	9 Q And that's L-A-C-Z?
09:50:31	10	show me what he wrote on that exhibit?	09:53:15	10 A Correct
09:50:33	11	MS WALKER: Sure Let the record reflect	09:53:15	11 Q Had you met Kevin before the wake at McP's?
09:50:35	12	it says, Standing with Chris and Ryan; and there's	09:53:23	12 A Yes
09:50:38	13	an arrow drawn down to the space in the middle of	09:53:26	13 Q And how did you know Kevin?
09:50:42	14	the U-shaped trees	09:53:28	14 A Again, kind of through passing, and -- and
09:50:45	15	MR OLSEN: Thank you	09:53:32	15 being around Marc and with Marc I had gone to a
09:50:46	16	QUESTIONS BY MS WALKER:	09:53:40	16 football game before they deployed with -- with
09:50:49	17	Q And now, if we look at this picture that	09:53:43	17 Marc, and there was a bunch of Marc's platoon, I
09:50:51	18	we've numbered, number 3, the front of McP's is here	09:53:47	18 think pretty much the whole platoon was there
09:50:56	19	on Orange Avenue; is that correct?	09:53:49	19 And -- and we were split up in different seats but I
09:50:58	20	A Correct	09:53:52	20 remember being with Kevin and -- and Marc
09:50:59	21	Q Okay And was this a parking lot or a patio	09:53:56	21 specifically at the game
09:51:04	22	area?	09:53:57	22 But again, I didn't really get to know Kevin
09:51:05	23	A Which -- which area?	09:54:01	23 very well until after, you know, all the funerals
09:51:12	24	Q Where you were standing with Chris and --	09:54:04	24 and when they came back home
09:51:14	25	A Oh, patio area	09:54:08	25 Q Now, your declaration, which we've marked as
	Page 38		Page 40	
09:51:16	1	Q Okay Do you remember what the three of you	09:54:11	1 Exhibit 1, refers to an incident that occurred that
09:51:19	2	were talking about?	09:54:14	2 day between Chris Kyle and Jesse Ventura.
09:51:21	3	A I honestly have no recollection of what we	09:54:18	3 A Correct.
09:51:25	4	were talking about The memory that does stand out	09:54:19	4 Q And I'm going to just ask you to flesh that
09:51:29	5	is that I was amazed at how positive and funny Ryan	09:54:24	5 out a little bit. When did you notice that Jesse
09:51:38	6	Job was after going through everything he had gone	09:54:27	6 Ventura was at McP's?
09:51:42	7	through He was always a comedian in the class and	09:54:29	7 A I don't recall exactly. I -- I remember
09:51:47	8	it didn't phase him one bit And I just remember	09:54:33	8 seeing him out on the patio. He was -- there was a
09:51:50	9	being very happy, because that was the first time I	09:54:39	9 couple tables with some older members of the
09:51:52	10	had actually gotten to see Ryan, I believe, since he	09:54:43	10 community. From what I understood, there was a
09:51:55	11	had sustained his injuries, and we were all really	09:54:47	11 graduation going on the next day and they were in
09:51:59	12	glad and impressed and surprised at how upbeat he	09:54:52	12 town to -- as part of the -- the graduation.
09:52:03	13	was, and lively	09:54:56	13 Q Do you know which class was graduating?
09:52:06	14	Q And so you had met him before this?	09:54:58	14 A I don't recall.
09:52:09	15	A Ryan?	09:54:59	15 Q Why would Jesse have been in town for the
09:52:10	16	Q Yeah	09:55:01	16 graduation?
09:52:10	17	A Ryan and I went through BUD/S together	09:55:03	17 MR. OLSEN: Objection, foundation.
09:52:13	18	Q Was there anyone else standing in that group	09:55:04	18 QUESTIONS BY MS. WALKER:
09:52:18	19	with you that you recall?	09:55:05	19 Q If you know.
09:52:20	20	A I recall, I mean, different people from	09:55:06	20 A Can you repeat the question?
09:52:26	21	Marc's platoon, people that I was in class with I	09:55:07	21 Q Yeah. Why would someone who was not
09:52:32	22	believe, if memory serves me correct, Scott Paulson	09:55:09	22 graduating with that class the next day, why would
09:52:37	23	was there Chris Kyle I mean, there was a bunch	09:55:13	23 that person have been in town to attend it?
09:52:49	24	of people	09:55:16	24 A Sure.
09:52:53	25	I mean, it was -- it was so many people,	09:55:16	25 MR. OLSEN: Objection, foundation.

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09:55:18	1	QUESTIONS BY MS WALKER:		09:57:36	1	think It was so long ago I do remember he had a			
09:55:18	2	Q Again, if you know and can answer?		09:57:38	2	hat on because he had long hair down to his			
09:55:20	3	MR OLSEN: Same objection		09:57:44	3	shoulders, which I just remember because I had			
09:55:23	4	MR DOWD: Go ahead		09:57:50	4	always seen him completely bald and shaven on -- on			
09:55:25	5	THE WITNESS: Generally it's tradition in		09:57:53	5	TV He was wearing a hat, and he had hair down to			
09:55:27	6	our community, if a class, if -- when -- when a		09:57:56	6	his shoulders, and then he had a -- a -- like, I			
09:55:29	7	class graduates, that they have the, what we call		09:58:00	7	don't know, 5, 6-inch chin -- I don't know what you			
09:55:34	8	the centennial and bi-centennial class come out So		09:58:05	8	call it -- ponytail It was braided			
09:55:39	9	in my case, I graduated in Class 251 It would have		09:58:11	9	Q And was it daylight when you first noticed			
09:55:43	10	been customary to have class members from the		09:58:16	10	him? Dusk? Dark?			
09:55:45	11	Class 151 and Class 51 present at the graduation		09:58:17	11	A I don't -- I don't recall			
09:55:51	12	So it was my understanding he was one of those		09:58:21	12	Q Did you notice if he was drinking?			
09:55:55	13	previous classes		09:58:23	13	A I don't recall			
09:55:56	14	QUESTIONS BY MS WALKER:		09:58:26	14	Q Do you remember -- well, how was he acting?			
09:55:57	15	Q And when you say that he was out on the		09:58:31	15	A I really didn't have a lot of interaction			
09:56:00	16	patio, are you talking about this same area that --		09:58:35	16	with him that night so I couldn't really say how he			
09:56:03	17	A Correct		09:58:43	17	was acting in general I did go up and -- and			
09:56:03	18	Q -- you've marked on Map No 3?		09:58:45	18	introduce myself to him with -- with Debbie Lee at			
09:56:06	19	A Correct		09:58:47	19	one point in the evening, and that was pretty much			
09:56:07	20	Q Can you estimate how many feet away from you		09:58:49	20	the only interaction I had with him			
09:56:10	21	he was?		09:58:52	21	Q What made you decide to introduce yourself			
09:56:11	22	A Not very far Probably 15, 20 feet from --		09:58:54	22	to him?			
09:56:18	23	from this point where I was with Ryan Job		09:58:55	23	A Debbie had expressed interest in -- in going			
09:56:21	24	Q Was he sitting down or standing up?		09:59:00	24	to -- to meet him and wanted me to go over there			
09:56:24	25	A I don't recall if he was sitting I do		09:59:03	25	with her			
				Page 42					Page 44
09:56:26	1	recall him standing		09:59:04	1	Q And can you describe what -- how that played			
09:56:29	2	Q Are there tables out on the patio, or were		09:59:08	2	out and what the interaction was?			
09:56:31	3	there at the time you were there?		09:59:09	3	A Sure So obviously there was a bunch of			
09:56:32	4	A Yes, there were		09:59:15	4	people that wanted to -- to -- to go over and meet			
09:56:33	5	Q And chairs?		09:59:17	5	him and introduce themselves, so we just kind of			
09:56:34	6	A Yes And I recall a bunch of the people		09:59:21	6	waited When the time was right, I brought Debbie			
09:56:37	7	that were in his group were sitting and they all --		09:59:25	7	over, and I -- you know, I don't remember exactly			
09:56:39	8	I mean, I do remember him standing I don't		09:59:28	8	what I said, but something to the extent of, you			
09:56:42	9	remember if he was sitting or not at any point		09:59:30	9	know, Sir, I just want to introduce you to Debbie			
09:56:45	10	Q Did you recognize any of the people in his		09:59:34	10	Lee, this is Marc Lee's mother He's the first SEAL			
09:56:48	11	group?		09:59:37	11	we lost in Iraq			
09:56:49	12	A I did not		09:59:39	12	Q And what did he say?			
09:56:50	13	Q Did you notice if there were any women with		09:59:41	13	A Again, I don't recall the exact words but			
09:56:53	14	him?		09:59:49	14	really, just kind of quickly got into -- to kind of			
09:56:53	15	A I don't remember		09:59:52	15	talking about his time when he was a SEAL, when he			
09:56:54	16	Q How did you know it was Jesse Ventura?		09:59:56	16	went through BUD/S That was -- that was, you know,			
09:57:01	17	A I noticed his -- his face because he had		10:00:02	17	the extent that I really remember, and its general			
09:57:04	18	been on a lot of news, and media, and was a		10:00:06	18	detail			
09:57:11	19	Governor, and people were saying that he was here		10:00:07	19	Q Did he shake Debbie's hand?			
09:57:14	20	And so people were obviously looking over there and		10:00:09	20	A I don't recall			
09:57:18	21	you could tell it was him		10:00:10	21	Q Did he ask her about Marc?			
09:57:20	22	Q Had you ever seen him in person before?		10:00:14	22	A From what I remember, no			
09:57:23	23	A I had not		10:00:17	23	Q Did he say that he was sorry for her loss?			
09:57:24	24	Q What was he wearing, if you remember?		10:00:20	24	A I did not hear him say that			
09:57:29	25	A I remember him wearing a blue t-shirt, I		10:00:23	25	Q What was your general impression of			

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10:00:26	1	Mr Ventura after that interaction?	10:02:57	1 Q What did she say, as you -- as best you
10:00:29	2	A I was a little disappointed that there	10:03:00	2 recall?
10:00:35	3	wasn't more compassion or empathy towards Debbie	10:03:00	3 A I mean, again, word for word would be hard
10:00:39	4	She was obviously going through a very difficult	10:03:02	4 to -- hard to recall, but she was -- she was
10:00:41	5	time herself and the one thing I remember that her	10:03:06	5 disappointed, and -- and sad that he didn't even
10:00:45	6	and I were both kind of saying as we left, Wow, I	10:03:10	6 really say sorry, or sorry for your loss, thank you
10:00:48	7	mean, that was not what I thought it was going to	10:03:14	7 for your son's service.
10:00:53	8	be So I do remember he didn't really say, I'm	10:03:16	8 Q And when you say she was upset, was she
10:00:56	9	sorry for your loss, you know, tell me about Marc,	10:03:19	9 angry? Was she sad? Did it make her cry?
10:01:00	10	how did he die; anything like that, so	10:03:22	10 A I don't think she was angry but she was
10:01:04	11	Q And so you introduced her as the mother of a	10:03:26	11 generally sad.
10:01:08	12	fallen soldier and his next response was -- was	10:03:29	12 Q The whole -- the whole time.
10:01:12	13	what?	10:03:31	13 A Right, so ...
10:01:13	14	A I don't recall exactly the -- the timeline	10:03:33	14 Q You testified that you were 15 to 20 feet
10:01:18	15	of what happened immediately after, but I just	10:03:35	15 away from Ventura, at least for a while when you
10:01:21	16	remember, you know, the conversation of -- from what	10:03:39	16 were both on the patio. Do you -- do you remember
10:01:23	17	he was saying, was about, you know, the time when,	10:03:40	17 how long you were both out there?
10:01:25	18	you know, he was in the SEAL community, or UDT	10:03:41	18 A I don't know. I was moving around, you
10:01:32	19	community, and what team he was on, and when he was	10:03:45	19 know, the place. I had seen friends that I hadn't
10:01:34	20	in, and when he went through training, but I don't	10:03:50	20 seen in a while, so I didn't stay in one place for
10:01:37	21	recall the exact details	10:03:52	21 very long.
10:01:38	22	Q Did that interaction change your opinion of	10:03:54	22 Q Fifteen minutes? An hour? Two hours?
10:01:42	23	Mr Ventura?	10:03:58	23 Anyway to ballpark it --
10:01:44	24	A Definitely	10:03:59	24 A From when?
10:01:45	25	Q What was your opinion of him before you took	10:03:59	25 Q -- that way? From when you first noticed
		Page 46		Page 48
10:01:48	1	Debbie Lee up to him to introduce her?	10:04:01	1 that you and Ventura were both on the patio to when
10:01:51	2	A I didn't really have a -- a big opinion. I	10:04:04	2 you were no longer both in the same general
10:01:56	3	thought that, you know, when he was running for	10:04:07	3 vicinity.
10:02:01	4	Governor, or when he was Governor, that I -- I	10:04:07	4 A I have no idea.
10:02:03	5	remember him having some -- some good points and	10:04:12	5 Q Would you have been able to hear the sorts
10:02:06	6	good issues, and -- and things that he had to say,	10:04:14	6 of things he was saying given the distance and the
10:02:09	7	but I didn't really know anything about him	10:04:16	7 volume in the bar around the patio?
10:02:11	8	personally. And just --	10:04:19	8 MR. OLSEN: Object to the form of the
10:02:16	9	Q What -- go ahead.	10:04:20	9 question.
10:02:18	10	A Yeah, just from that brief interaction	10:04:22	10 QUESTIONS BY MS. WALKER:
10:02:20	11	with -- with Debbie Lee, I was, you know, kind of	10:04:23	11 Q What, if anything, did you hear Ventura say
10:02:22	12	taken aback.	10:04:25	12 while you were both on the patio?
10:02:23	13	Q And did your opinion of him change?	10:04:27	13 A Other than the conversation that I had with
10:02:27	14	A Yes.	10:04:31	14 him and Debbie, I don't recall anything he said.
10:02:28	15	Q Did it change so that you had a better	10:04:39	15 Q Do you recall the general -- in general,
10:02:29	16	opinion of him or a worse opinion of him?	10:04:44	16 topics he was talking about?
10:02:31	17	A I would say worse.	10:04:45	17 MR. OLSEN: Objection, foundation.
10:02:32	18	Q And why was your opinion of him changed for	10:04:47	18 THE WITNESS: I did not hear anything that
10:02:34	19	the worse?	10:04:49	19 he had said.
10:02:36	20	A Because it didn't seem that he had really a	10:04:52	20 QUESTIONS BY MS. WALKER:
10:02:43	21	lot of empathy or care for what was going on that	10:04:53	21 Q Did you notice whether he was having any
10:02:48	22	night.	10:04:54	22 impact, his behavior, or the things he was saying,
10:02:49	23	Q Did Debbie convey to you her impressions of	10:04:57	23 was having an impact on other people on the patio?
10:02:55	24	the interaction?	10:05:01	24 MR. OLSEN: Object to the form of the
10:02:56	25	A She was very upset.	10:05:02	25 question.

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10:05:05	1	THE WITNESS:	Can you repeat the question?		10:07:45	1	drank that night?		
10:05:09	2	QUESTIONS BY MS WALKER:			10:07:45	2	A I do not		
10:05:14	3	Q	Did you notice if the way Mr Ventura was		10:07:49	3	Q Was he acting as if he had been drinking a		
10:05:17	4	acting, or the things he was saying, even though you			10:07:55	4	lot?		
10:05:19	5	didn't personally hear them, if they were having an			10:07:55	5	A No		
10:05:22	6	impact on others who were out on the patio?			10:07:55	6	Q Referring to Exhibit 1, paragraph 13, and		
10:05:27	7	MR OLSEN:	Object to the form of the		10:08:08	7	I'll give you a second to read through that		
10:05:28	8	question			10:08:11	8	A Okay		
10:05:29	9	THE WITNESS:	The best that I remember is		10:08:36	9	Q So in paragraph 13, you talk about a		
10:05:32	10	that at some point of the night, I did hear some			10:08:39	10	commotion that you witnessed Where did this		
10:05:37	11	people say that he was saying some things that			10:08:44	11	commotion take place?		
10:05:41	12	were -- was upsetting the family			10:08:46	12	A It was outside by the patio of McP's		
10:05:42	13	QUESTIONS BY MS WALKER:			10:08:50	13	Q Is it -- was it in this area that you've		
10:05:43	14	Q	Do you remember who told you that?		10:08:52	14	already marked on Map No 3?		
10:05:44	15	A	I don't		10:08:55	15	A Yes		
10:05:45	16	Q	Do you remember what they said he was		10:08:55	16	Q And do you remember approximately what time		
10:05:50	17	saying?			10:08:58	17	of day it was when the commotion took place?		
10:05:50	18	A	I heard that, you know, there were things		10:09:01	18	A I don't, but it was evening It was dark		
10:05:55	19	being said about -- negatively about Bush, about the			10:09:04	19	Q Are there lights on the patio?		
10:05:59	20	war in Iraq, and that, you know, Debbie Lee, Mike			10:09:06	20	A I don't recall		
10:06:05	21	Monsoor's family, and -- and Ryan Job's mother were			10:09:07	21	Q Can you describe what the commotion was?		
10:06:08	22	nearby			10:09:15	22	A Not exactly because I didn't see it, but I		
10:06:11	23	Q	And that they found these comments		10:09:20	23	was -- I was kind of --		
10:06:13	24	offensive, is that what you heard?			10:09:21	24	Q I want to stop you --		
10:06:14	25	A	That's what I remember, yes		10:09:22	25	A Okay		
				Page 50					Page 52
10:06:15	1	MR OLSEN:	Objection		10:09:23	1	Q -- right there You said you didn't see it		
10:06:34	2	QUESTIONS BY MS WALKER:			10:09:25	2	Describe the parts you did see		
10:06:34	3	Q	Was Debbie Lee drinking that night, do you		10:09:26	3	A Oh; okay Sure So I saw, you know,		
10:06:37	4	remember?			10:09:30	4	some -- some noises, something happening, you know,		
10:06:38	5	A	I don't remember, but she's generally not a		10:09:33	5	by the parking lot outside on the patio, or near the		
10:06:40	6	big drinker	I mean, I don't -- she may not even		10:09:37	6	patio		
10:06:44	7	drink	I don't know if I recall ever seeing her		10:09:38	7	Q Hang on just a minute I want to get on the		
10:06:47	8	have a drink			10:09:40	8	record what you're pointing to		
10:06:49	9	Q	Were you drinking alcohol at McP's that day?		10:09:41	9	A Okay		
10:06:53	10	A	I was drinking socially, yes		10:09:42	10	Q So you had talked that earlier in the		
10:06:54	11	Q	And what do you mean when you say socially?		10:09:44	11	evening you were standing sort of in this shadowy		
10:06:56	12	A	I probably had five or six beers over the		10:09:48	12	area on Map 3 in between the U-shaped trees		
10:07:03	13	course of the night			10:09:52	13	A Correct		
10:07:04	14	Q	How many hours would you say?		10:09:53	14	Q And now repeat again, if you could, where		
10:07:06	15	A	Oh, not really sure Four, maybe		10:09:56	15	the -- you said something near the parking lot was		
10:07:13	16	Q	And what were you drinking?		10:09:59	16	happening?		
10:07:16	17	A	I have no idea, but probably just beer, Bud		10:09:59	17	A Yeah Well, it was -- I noticed a bunch of		
10:07:19	18	Light			10:10:03	18	people around this area here		
10:07:22	19	Q	Would you say you were drunk that night when		10:10:04	19	Q Okay If you would, mark it on this		
10:07:24	20	you left McP's?			10:10:08	20	exhibit --		
10:07:25	21	A	No		10:10:08	21	A Okay		
10:07:26	22	Q	Do you think the amount you drank affected		10:10:08	22	Q -- here that's been marked		
10:07:30	23	your memory of what happened at McP's that night?			10:10:10	23	MR OLSEN: And for the record, you're		
10:07:33	24	A	I don't believe it did		10:10:11	24	looking at the third photograph on Exhibit No --		
10:07:42	25	Q	Do you remember seeing how much Chris Kyle		10:10:19	25	Exhibit No 3		

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10:10:19	1	THE WITNESS:	Correct		10:12:24	1	A I know what I've -- what I've heard that		
10:10:26	2	MR OLSEN:	Can you show me what he just		10:12:27	2	happened		
10:10:27	3	marked?			10:12:27	3	Q And what have you heard?		
10:10:29	4	MS WALKER:	He marked that right there		10:12:28	4	A I heard that that was where --		
10:10:34	5	Can you repeat back the last answer from the			10:12:29	5	MR OLSEN: Objection, hearsay		
10:10:36	6	witness?			10:12:31	6	THE WITNESS: I had heard that that was		
10:10:36	7	THE COURT REPORTER:	I noticed a bunch of		10:12:33	7	where Chris supposedly hit Jesse Ventura		
10:10:48	8	people around this area here			10:12:37	8	QUESTIONS BY MS WALKER:		
10:10:48	9	QUESTIONS BY MS WALKER:			10:12:38	9	Q How quickly after the incident occurred did		
10:10:48	10	Q Okay	It was -- you were on the patio; is		10:12:42	10	you hear that that's what happened?		
10:10:50	11	that correct?			10:12:44	11	A Again, I don't recall exactly the -- the		
10:10:50	12	A Mm-mm			10:12:47	12	time of events, and how long it was after, but I do		
10:10:50	13	Q And it was after dark, I believe you			10:12:49	13	remember hearing afterwards, people were talking		
10:10:52	14	testified?			10:12:53	14	about -- somebody had -- had kind of come in over by		
10:10:52	15	A Correct			10:12:55	15	me and I remember hearing about the incident		
10:10:52	16	Q And you noticed a bunch of people on this			10:13:00	16	Q So that same night while you were still at		
10:10:55	17	place that you marked on Exhibit 3, Map 3, near			10:13:03	17	McP's?		
10:11:03	18	where the park -- cars are parked under these			10:13:03	18	A Yes		
10:11:06	19	trees --			10:13:05	19	Q Just in talking to other people who were		
10:11:06	20	A Correct			10:13:07	20	still there for the wake --		
10:11:06	21	Q -- is that correct?			10:13:08	21	A Correct		
10:11:07	22	A Correct			10:13:09	22	Q -- and who were talking about this		
10:11:07	23	Q And when you say a bunch of people, how many			10:13:11	23	commotion?		
10:11:10	24	people did you notice, approximately?			10:13:11	24	A Correct		
10:11:11	25	A I'm going to say, I don't know, around half			10:13:12	25	Q Do you recall who told you that?		
				Page 54					Page 56
10:11:17	1	a dozen			10:13:15	1	A I don't		
10:11:19	2	Q Was the patio still crowded?			10:13:20	2	Q And do you recall, as precisely as you can,		
10:11:21	3	A Yes			10:13:22	3	what they said?		
10:11:22	4	Q What were the people doing?			10:13:22	4	A Just that, you know, Chris had hit Jesse		
10:11:25	5	A The -- the people over here? I couldn't			10:13:29	5	Ventura for saying things that were supposedly		
10:11:27	6	quite tell but there was some commotion there,			10:13:32	6	upsetting the family, which was the anti, you know,		
10:11:30	7	and -- and people were looking, and I just gave a			10:13:36	7	war, anti-Bush, things that supposedly he was saying		
10:11:32	8	quick glance and I didn't really know what was going			10:13:40	8	that night		
10:11:35	9	on I didn't think much of it And then later I --			10:13:41	9	Q Did this person say with anymore precision		
10:11:39	10	I heard what happened			10:13:44	10	what Ventura had said that caused Chris to punch		
10:11:43	11	Q How far away were you from the commotion			10:13:47	11	him?		
10:11:47	12	that you've described? How many feet, if you			10:13:48	12	MR OLSEN: Objection, foundation and		
10:11:49	13	recall?			10:13:50	13	hearsay		
10:11:49	14	A Thirty, 40 Well, probably more than that			10:13:51	14	THE WITNESS: I don't believe so that night		
10:11:55	15	Forty, 50 It's tough to say			10:13:57	15	I heard the next day, I believe it was, that I heard		
10:12:00	16	Q Do you remember who you were standing near			10:14:00	16	more -- more about what was actually said		
10:12:02	17	at the time?			10:14:03	17	QUESTIONS BY MS WALKER:		
10:12:02	18	A I don't			10:14:03	18	Q I want to get to that in a minute After		
10:12:07	19	Q Did you hear any shouting along with the			10:14:07	19	you saw the commotion, did you see either Chris or		
10:12:11	20	commotion?			10:14:14	20	Ventura again that night?		
10:12:11	21	A A little bit That's kind of what kind of			10:14:18	21	A I don't recall		
10:12:13	22	got everybody's attention to look over But again,			10:14:19	22	Q How long did you stay at McP's after the		
10:12:16	23	I didn't really -- I didn't see the actual event,			10:14:22	23	commotion occurred?		
10:12:19	24	didn't know at the time what had happened			10:14:23	24	A Probably not very long Maybe 20 minutes		
10:12:21	25	Q Do you know now what had happened?			10:14:30	25	I don't know		

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10:14:30	1	Q Do you recall what time it was when you left		10:17:03	1	estimate?	
10:14:34	2	McP's, approximately?		10:17:05	2	A I can't recall It gets brought up -- it	
10:14:36	3	A I have no idea.		10:17:08	3	has probably been brought up every now and then	
10:14:38	4	Q And do you recall where you went after		10:17:11	4	I've actually told, you know, the story to people	
10:14:40	5	McP's?		10:17:15	5	over the past few years since it happened	
10:14:41	6	A I probably went home.		10:17:23	6	Q Understanding that you can't recall everyone	
10:14:43	7	Q Do you know if you drove home?		10:17:30	7	who's maybe told you this story, or who you've told	
10:14:46	8	A No, I most likely would have walked.		10:17:32	8	the story to, who can you recall talking about this	
10:14:49	9	Q How far away was your home from McP's?		10:17:37	9	with?	
10:14:53	10	A Eight or ten blocks.		10:17:38	10	A I mean, specifically -- I mean, I can't	
10:15:03	11	Q How long did the commotion last?		10:17:47	11	think of a specific person or a name, but I know we	
10:15:05	12	A I mean, briefly. It was a couple seconds		10:17:53	12	have talked about it, and over the course of, you	
10:15:11	13	and then it seemed to be over.		10:17:55	13	know, our platoon, which is we're always together,	
10:15:26	14	Q You mentioned you heard additional things		10:17:58	14	guys are always talking about what's going on	
10:15:28	15	about the commotion the next day?		10:18:05	15	I remember -- I mean, I remember Kevin Lasz	
10:15:29	16	A Correct.		10:18:09	16	talking about it at some point I remember talking	
10:15:29	17	Q What did you hear?		10:18:19	17	to -- with Debbie Lee about it, you know, after the	
10:15:32	18	A I had heard that, you know, as he was saying		10:18:23	18	fact, but	
10:15:39	19	the things against Bush and against the war, that a		10:18:25	19	Q Would the conversations with Kevin and	
10:15:44	20	a few people had gone over, and I think Chris might		10:18:27	20	Debbie, would they have occurred back in 2006 when	
10:15:48	21	have been one of them, and said that, you know,		10:18:30	21	it happened, or did they occur sometime more recent	
10:15:50	22	there's a family member here of the people we just		10:18:33	22	than that? Or have there been multiple	
10:15:53	23	buried and we'd appreciate it if you'd just tone it		10:18:36	23	conversations?	
10:15:57	24	down a little bit. It's not the time or place.		10:18:36	24	A After -- after it happened	
10:16:00	25	Q And did you hear what Jess -- how Jesse		10:18:37	25	Q Shortly after it happened?	
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10:16:03	1	responded? Let me rephrase that		10:18:38	1	A Yeah	
10:16:06	2	Did you hear the next day from other people		10:18:39	2	Q So the October 13, 2006, when you started to	
10:16:08	3	what Jesse said in response?		10:18:46	3	hear about this from other people, you had started	
10:16:09	4	A Yes I don't know --		10:18:48	4	to say that -- that you heard from others that Jesse	
10:16:10	5	MR OLSEN: Object to the form of the		10:18:54	5	was saying something, that Chris went over to him,	
10:16:11	6	question		10:18:59	6	and then what? What did you hear happened next?	
10:16:11	7	THE WITNESS: I don't know when it happened		10:19:01	7	A I don't know how the exact sequence of	
10:16:14	8	or how it was said but I heard that the response to		10:19:03	8	events happened but that people had gone over to	
10:16:20	9	that was, you know, You guys deserve to lose a few		10:19:08	9	tell him that they didn't appreciate the things that	
10:16:24	10	guys		10:19:10	10	were being said and, you know, to stop for the	
10:16:24	11	QUESTIONS BY MS WALKER:		10:19:13	11	family It's not what we were gathering there for	
10:16:25	12	Q Who did you hear this from?		10:19:20	12	And then, you know, the other part that I	
10:16:26	13	A I'm not really sure I mean, I've -- I've		10:19:23	13	heard was that supposedly Jesse Ventura responded at	
10:16:29	14	heard it from so many people It was definitely		10:19:26	14	some point in that way, and that's what set Chris	
10:16:33	15	more than one or two		10:19:29	15	off	
10:16:34	16	Q Did you hear it from more than one person		10:19:30	16	Q He responded in what way?	
10:16:36	17	that next day, which would have been October 13th?		10:19:31	17	A When he said that we deserved to lose a few	
10:16:40	18	A From what I recall, yes, word spread pretty		10:19:34	18	guys	
10:16:44	19	quick		10:19:34	19	Q And that set Chris off, and -- and what did	
10:16:44	20	Q Do you recall about how many people you		10:19:36	20	Chris do?	
10:16:46	21	heard this story from on October 13th, 2006?		10:19:37	21	A From what I was told --	
10:16:50	22	A I mean, it could be as -- I mean, as many as		10:19:38	22	MR OLSEN: Object to the form of the	
10:16:56	23	10 or 12		10:19:39	23	question, foundation	
10:16:57	24	Q And over the last six years, how many people		10:19:40	24	THE WITNESS: From what I was told, that's	
10:17:01	25	have you heard this story from as best you can		10:19:42	25	when, you know, Chris hit him	

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10:19:46	1	QUESTIONS BY MS. WALKER:		10:22:41	1	you these days in the SEAL community?	
10:19:52	2	Q How did you hear about this on October 13th?		10:22:43	2	A I mean, I am still involved but not nearly	
10:19:54	3	Did you meet up with people? Did they call you on		10:22:48	3	to the degree I was as an active duty	
10:19:57	4	the phone? Was it an e-mail?		10:22:52	4	Q What are the commitments required?	
10:19:59	5	A I don't --		10:22:55	5	A I mean, I generally have to -- you know, I	
10:20:00	6	Q Do you remember?		10:23:00	6	perform the equivalent of maybe a month, month and a	
10:20:00	7	A Well, it would have been in person. I mean,		10:23:03	7	half's worth of -- of work a year	
10:20:02	8	I don't recall exactly, but we meet every day pretty		10:23:05	8	Q And where does that take place?	
10:20:08	9	much at the team at some point, whether it's, you		10:23:07	9	A It could be overseas It could be local	
10:20:11	10	know, certainly a weekday or a weekend. Guys are		10:23:12	10	training Taking care of administrative things	
10:20:14	11	always around the team, even on their off days,		10:23:17	11	Getting reequaled in, you know, my parachute skills,	
10:20:16	12	working on their gear or getting ready for the next		10:23:23	12	jumping, shooting, land warfare stuff, as well as	
10:20:19	13	training trip.		10:23:27	13	administrative things	
10:20:22	14	Q Did you go back to McP's the next day,		10:23:30	14	Q As part of being active reserve, do you ever	
10:20:26	15	October 13th?		10:23:33	15	have to go to Coronado?	
10:20:27	16	A I don't believe I did. I don't remember.		10:23:34	16	A I have	
10:20:30	17	Q Would it have been unusual for SEALs who		10:23:35	17	Q How -- when was the last time you were	
10:20:33	18	were in town for the funeral to have gone back to		10:23:36	18	there?	
10:20:36	19	McP's that next night?		10:23:37	19	A It was February of '11 was the last time I	
10:20:37	20	A No.		10:23:50	20	was there	
10:20:44	21	Q Back in '06, how often did you go to McP's?		10:23:52	21	Q Do you go once a year?	
10:20:48	22	A I mean, maybe a handful of times.		10:23:53	22	A It -- I haven't gone -- I mean, sometimes	
10:20:55	23	Q Once a month?		10:23:56	23	it'll be once or twice a year, sometimes I may not	
10:21:00	24	A Not socially, but if -- if there was a		10:23:59	24	go for a year I didn't -- I haven't been this	
10:21:03	25	funeral or graduation.		10:24:00	25	year	
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10:21:10	1	Q So when you say not socially, what do you		10:24:02	1	Q Do you talk to your former SEAL teammates	
10:21:12	2	mean?		10:24:06	2	regularly?	
10:21:12	3	A I didn't go there a whole lot, you know,		10:24:06	3	A As often as I can	
10:21:14	4	socially, for, you know, drinks or eating Probably		10:24:07	4	Q Once a month?	
10:21:21	5	the majority of my time there has been for wakes and		10:24:09	5	A Some more, some less	
10:21:28	6	graduations, but that's not very many		10:24:12	6	Q Who are the ones you keep in touch with the	
10:21:33	7	Q You said that you talked to Kevin Lasz and		10:24:14	7	most?	
10:21:35	8	Debbie Lee shortly after the fight Over the next		10:24:15	8	A I keep in touch with Matt Frost, Ben Potassi	
10:21:43	9	few years in 2007, 2008, up through 2011, did you		10:24:25	9	(phonetic), Eric Niheim (phonetic) I do keep in	
10:21:48	10	continue to hear about it from people or talk about		10:24:27	10	touch with Kevin Lasz I don't talk to Chris often	
10:21:50	11	it with people?		10:24:34	11	We have stayed in touch over the years Leif Babbin	
10:21:51	12	A Never really came up much		10:24:43	12	(phonetic), I try to stay in touch with Guys from	
10:21:58	13	Q Were you married at the time?		10:24:45	13	my platoon, guys from my class, guys that I got to	
10:22:00	14	A I was		10:24:49	14	know through Marc and Mikey's platoon	
10:22:03	15	Q Did you tell your wife about it?		10:24:52	15	Q Are any of the people you regularly keep in	
10:22:05	16	A About the fight?		10:24:54	16	touch with still active duty?	
10:22:06	17	Q Mm-mm		10:24:55	17	A Yes	
10:22:07	18	A Yes		10:24:57	18	Q Do you still go to SEAL funerals?	
10:22:08	19	Q Who else have you told about it?		10:25:00	19	A Yes	
10:22:14	20	A I told my parents about it My in-laws A		10:25:00	20	Q When was the last time you attended one?	
10:22:21	21	couple of my close friends around town here		10:25:03	21	A Last November October/November	
10:22:26	22	Q Approximately when would you have told them		10:25:14	22	Q Is that the last official SEAL event you've	
10:22:28	23	about it? Back when it happened or more recently?		10:25:17	23	attended?	
10:22:31	24	A Back when it happened		10:25:17	24	A I think so	
10:22:36	25	Q As an active reserve SEAL, how involved are		10:25:24	25	Q What do you talk about when you talk with	

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10:25:33	1	your former teammates?	10:28:06	1 A Correct
10:25:38	2	A Talk about what's going on currently	10:28:07	2 Q And by 2007, it had altered people's opinion
10:25:41	3	Usually talk about past stories I mean,	10:28:11	3 of him within the community?
10:25:49	4	everybody's so busy, we don't get a chance to see	10:28:13	4 A In my estimate, I would say yes
10:25:52	5	each other very often Unfortunately it's usually	10:28:20	5 Q What is his current reputation within the
10:25:56	6	around a funeral	10:28:22	6 SEAL community?
10:25:57	7	And when we see each other, usually we -- we	10:28:22	7 A I don't know because I'm -- I'm not involved
10:26:02	8	ask, you know, how everybody else is doing that	10:28:25	8 on a day-to-day basis, so I wouldn't be comfortable
10:26:06	9	we have -- we haven't seen, if they've seen that	10:28:28	9 in saying
10:26:08	10	person, if they know how they're doing, and where	10:28:30	10 Q Is your sense that among the people you keep
10:26:09	11	they are and what -- what they're up to	10:28:33	11 in contact with, his reputation has changed
10:26:10	12	Q Is it fair to say you all keep tabs on each	10:28:38	12 drastically within the last couple of years?
10:26:13	13	other?	10:28:40	13 A I don't think it's changed one way or the
10:26:13	14	A Pretty much	10:28:42	14 other the last couple of years
10:26:19	15	Q Do you talk about Ventura?	10:28:48	15 MS WALKER: I have nothing further at this
10:26:21	16	A Not really, no	10:28:51	16 time
10:26:22	17	Q Do you talk about Chris Kyle?	10:28:51	17 MR OLSEN: Why don't we take a break for a
10:26:26	18	A Not really	10:28:53	18 few minutes
10:26:27	19	Q Have you talked with any of your former	10:28:53	19 THE VIDEOGRAPHER: Going off the record at
10:26:33	20	teammates about this guy who wrote the book, No Easy	10:28:56	20 10:28
10:26:35	21	Day? Do you know what I'm talking about?	10:28:56	21 (Short recess taken)
10:26:38	22	A Yes	10:41:32	22 THE VIDEOGRAPHER: Back on the record Here
10:26:39	23	Q The book?	10:41:43	23 marks the beginning of tape number two in the
10:26:39	24	A Yes Yeah Yes, I have	10:41:44	24 deposition of Bob Gassoff The time is 10:41
10:26:41	25	Q Do SEALs like to gossip?	10:41:48	25 Please proceed
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10:26:46	1	A No.	10:41:51	1 EXAMINATION
10:26:47	2	Q What sorts of things were you hearing people	10:41:51	2 QUESTIONS BY MR. OLSEN:
10:27:01	3	say about Ventura, if anything, back in 2006 within	10:41:51	3 Q Good morning, Mr. Gassoff. I'll introduce
10:27:07	4	the SEAL community?	10:41:52	4 myself again. I'm David Olsen. I represent
10:27:09	5	A Probably the only thing that I could really	10:41:55	5 Governor Jesse Ventura in a lawsuit involving Chris
10:27:12	6	recall is, you know, the events of supposedly what	10:41:59	6 Kyle. You're aware of that; correct?
10:27:16	7	happened that night.	10:42:00	7 A Yes, Sir.
10:27:22	8	Q Do you have a sense for what his reputation	10:42:00	8 Q And we've never met before, have we?
10:27:25	9	within the community was in 2006?	10:42:02	9 A No, Sir.
10:27:27	10	A Before the event?	10:42:03	10 Q Can you give us your full name?
10:27:31	11	Q Yeah.	10:42:05	11 A Robert Allen Barkley Gassoff.
10:27:33	12	A Not really.	10:42:07	12 Q And how do you spell Allen?
10:27:34	13	Q Do you have a sense for what it was in 2007,	10:42:09	13 A A-L-L-E-N.
10:27:38	14	after the event?	10:42:11	14 Q And what is your date of birth?
10:27:39	15	A Yes.	10:42:12	15 A [REDACTED] 1977.
10:27:39	16	Q What was his reputation after the event?	10:42:15	16 Q And you're represented by counsel today;
10:27:42	17	A Not very good.	10:42:18	17 correct?
10:27:43	18	Q Why was it not very good?	10:42:19	18 A Yes, I am.
10:27:45	19	A I think pretty much everyone in the	10:42:19	19 Q And can you give us your counsel's name?
10:27:50	20	community is hurt about this event that was in	10:42:21	20 A Bill Dowd, W -- D-O-W-D.
10:27:54	21	around that time, and really disappointed and upset	10:42:27	21 Q And did you retain Mr. Dowd just for this
10:27:58	22	that the whole thing happened.	10:42:29	22 deposition or does --
10:27:59	23	Q So people had heard about it by 2007?	10:42:30	23 A No.
10:28:02	24	A For sure.	10:42:30	24 Q -- he represent you generally?
10:28:05	25	Q It circulated that quickly?	10:42:32	25 A He represents me and my family generally.

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10:42:35	1	Q	So I take it, then, that Chris Kyle is not		10:44:42	1	right?		
10:42:38	2		paying for you to have a lawyer today.		10:44:42	2	A Yes, Sir		
10:42:39	3	A	No.		10:44:43	3	Q And then you had another call with her where		
10:42:40	4	Q	Have you ever had your deposition taken		10:44:45	4	you talked about a declaration?		
10:42:44	5		before today?		10:44:45	5	A I gave my statement to her over the		
10:42:44	6	A	I have not, Sir.		10:44:48	6	telephone, Sir		
10:42:45	7	Q	And other than the affidavit that's already		10:44:49	7	Q Okay Was it just one call or more than		
10:42:48	8		been marked as Exhibit 1 in this deposition, have		10:44:51	8	one?		
10:42:52	9		you ever filled out other affidavits or declarations		10:44:51	9	A I can't remember I actually think it was		
10:42:55	10		under oath for legal proceedings before?		10:44:58	10	two calls because I had to go I -- my -- I had a		
10:42:57	11	A	No.		10:45:02	11	scheduling conflict and I -- I couldn't finish, so I		
10:42:58	12	Q	So this is the first time you've ever		10:45:05	12	think we had to finish up in -- in a second call, if		
10:43:00	13		submitted a declaration knowing that it would be		10:45:07	13	I -- if I remember accurately		
10:43:02	14		filed with the Court?		10:45:08	14	Q Okay Do you remember what you said or what		
10:43:04	15	A	As far as I know, yes.		10:45:10	15	she said during the second call?		
10:43:05	16	Q	Have you ever been involved in any lawsuits		10:45:12	16	A I -- I do not		
10:43:08	17		before?		10:45:13	17	Q Okay During the second call, you -- do you		
10:43:08	18	A	No, Sir.		10:45:16	18	recall that you talked about filling out a		
10:43:10	19	Q	You mentioned when Miss Walker was		10:45:17	19	declaration?		
10:43:15	20		questioning you that you had talked to her, I think		10:45:18	20	A One of the two calls, yes		
10:43:17	21		you said last year, meaning earlier this year; is		10:45:21	21	Q Okay And you gave Miss Walker information		
10:43:19	22		that correct?		10:45:24	22	over the telephone?		
10:43:19	23	A	Yes, Sir.		10:45:25	23	A Yes, Sir		
10:43:21	24	Q	And did she call you or did you call her?		10:45:25	24	Q And then she typed it up and sent it back to		
10:43:24	25		A She called me, Sir.		10:45:29	25	you somehow?		
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10:43:26	1	Q	Okay And what did she tell you when she		10:45:29	1	A Yes, Sir.		
10:43:29	2		called you?		10:45:30	2	Q How was that communicated back to you?		
10:43:30	3	A	What I remember is that she said that she		10:45:32	3	A I believe e-mail, or -- no, I think she sent		
10:43:33	4		represented Chris Kyle and that Chris had said that		10:45:40	4	it, actually, by mail. I can't recall.		
10:43:36	5		I would be somebody who could give some memory, or		10:45:43	5	Q Okay. Did you have an opportunity to review		
10:43:44	6		my memory, of the incidents that took place that		10:45:45	6	the declaration that Miss Walker's office typed up		
10:43:47	7		were involved in the -- the lawsuit		10:45:48	7	for you before you signed it --		
10:43:49	8	Q	How long did your conversation with		10:45:50	8	A I did.		
10:43:52	9		Miss Walker last?		10:45:50	9	Q -- and make corrections?		
10:43:53	10	A	I don't remember It was brief		10:45:51	10	A I did.		
10:43:55	11	Q	Ten minutes?		10:45:52	11	Q Okay. So you think that she mailed you a		
10:43:56	12	A	Probably not even that long		10:45:55	12	declaration. You looked at it, made corrections,		
10:43:58	13	Q	Okay And when she mentioned Chris Kyle,		10:45:57	13	and then did you communicate with her again?		
10:44:02	14		what did you tell her?		10:46:01	14	MS. WALKER: Object to form. Assumes he		
10:44:03	15	A	I said if there's anything that I could do,		10:46:02	15	made corrections.		
10:44:06	16		I would be happy to help		10:46:04	16	QUESTIONS BY MR. OLSEN:		
10:44:09	17	Q	What else did you tell her?		10:46:05	17	Q Tell me -- tell me what happened. When you		
10:44:13	18	A	I don't recall		10:46:07	18	got the declaration in the mail from Miss Walker's		
10:44:14	19	Q	Did you have any further communications with		10:46:10	19	office, did you make any corrections to it?		
10:44:20	20		Miss Walker after that telephone conversation?		10:46:12	20	A I don't believe I did.		
10:44:23	21	A	The conversation we had about the		10:46:12	21	Q And you got --		
10:44:25	22		declaration, my -- my statement, and then just a		10:46:12	22	A I'm pretty sure I did not.		
10:44:29	23		couple of scheduling calls before this event		10:46:14	23	Q You got the declaration in the mail, you		
10:44:37	24	Q	So you had an initial call with Miss Walker		10:46:15	24	signed it, had it notarized, and returned it?		
10:44:40	25		and it was very brief, and you described that;		10:46:17	25	A Yes, Sir.		

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10:46:17	1	Q	Did you return it by e-mail, or by mail, or		10:48:24	1	A	No	
10:46:20	2		how?		10:48:25	2	Q	What did you understand him to be saying?	
10:46:20	3	A	Probably FedEx or certified mail, I'm -- I'm		10:48:29	3	A	Just to tell the events as I remember them	
10:46:24	4		guessing		10:48:32	4		on that night at Mikey Monsoor's funeral	
10:46:25	5	Q	And you're thinking the entire conversation		10:48:36	5	Q	Did the two of you go over the events when	
10:46:30	6		or conversations you had with Miss Walker when you		10:48:38	6		you were on the phone?	
10:46:33	7		communicated to her the information that was put		10:48:39	7	A	Not really, no	
10:46:35	8		into your declaration was not more than a matter of		10:48:40	8	Q	You didn't talk about, What do you remember,	
10:46:38	9		a few minutes?		10:48:43	9		Mr Kyle? And he didn't ask you what you remember?	
10:46:41	10	A	No, Sir		10:48:45	10	A	A little -- I mean, I asked him because it	
10:46:42	11	Q	How long?		10:48:47	11		was a long time ago and it was kind of hard to put	
10:46:43	12	A	Can you repeat the question?		10:48:51	12		back the memories, the bits and pieces of the	
10:46:44	13	Q	It probably wasn't the best question. Sure		10:48:55	13		memories, and I had -- I had asked him, you know, a	
10:46:47	14		You think you had one or two telephone calls with		10:48:58	14		couple questions about, you know, if what I	
10:46:50	15		Miss Walker; correct?		10:49:00	15		remembered was true	
10:46:51	16	A	Yes		10:49:03	16	Q	And did he help to refresh your memory?	
10:46:51	17	Q	And in those telephone calls, you gave her		10:49:06	17	A	Yes, he confirmed that my memories were	
10:46:54	18		information to put in your declaration; correct?		10:49:10	18		accurate	
10:46:56	19	A	Yes		10:49:11	19	Q	Do you remember the gist of what you told	
10:46:56	20	Q	And those one or two telephone calls in		10:49:14	20		Mr Kyle over the telephone?	
10:46:59	21		total, how long were they?		10:49:15	21	A	I do not	
10:47:00	22	A	I'm guessing they were 10 to 15 minutes		10:49:16	22	Q	Do you remember anything else about what he	
10:47:07	23	Q	Okay. And during that time, did Miss Walker		10:49:23	23		told you during this telephone conversation?	
10:47:10	24		tell you at all what this lawsuit's about?		10:49:28	24	A	No	
10:47:12	25	A	Not in great detail		10:49:28	25	Q	Do you and Mr. Kyle keep in touch by e-mail?	
				Page 74					Page 76
10:47:14	1	Q	Did you have any knowledge that there was a		10:49:35	1	A	No, Sir	
10:47:16	2		lawsuit before you heard from Miss Walker?		10:49:36	2	Q	How about you and your other teammates in	
10:47:18	3	A	I did.		10:49:40	3		the SEALS?	
10:47:19	4	Q	And how did you know that?		10:49:41	4	A	Not so much. It's more -- more telephone	
10:47:20	5	A	It was -- at that time it had already been		10:49:47	5	Q	Okay. How about text message, do you and	
10:47:23	6		on a lot of the media news outlets.		10:49:50	6		Mr. Kyle text message each other?	
10:47:26	7	Q	Okay. And when you read about it, did you		10:49:51	7	A	We have	
10:47:29	8		have any reaction one way or the other?		10:49:54	8	Q	And your other former SEAL teammates, do you	
10:47:32	9	A	I was kind of shocked and disappointed and		10:50:01	9		text back and forth with them?	
10:47:38	10		sad for Chris.		10:50:03	10	A	Occasionally	
10:47:42	11	Q	Did you communicate with Chris Kyle at all		10:50:05	11	Q	Do you have a Facebook page?	
10:47:45	12		when you learned there was a lawsuit?		10:50:08	12	A	I do. I did not when I was active duty but	
10:47:47	13	A	I did.		10:50:11	13		I do now.	
10:47:49	14	Q	And when did you communicate with him?		10:50:12	14	Q	How long have you had that?	
10:47:51	15	A	It would have been sometime after the stuff		10:50:14	15	A	I don't know, Sir	
10:47:55	16		was coming out in the media and I -- I called to		10:50:16	16	Q	Have you ever sent or received any messages	
10:47:59	17		say, Sorry that this is going on, I heard; and just		10:50:20	17		via Facebook that have anything to do with Governor	
10:48:02	18		to catch up a little bit.		10:50:23	18		Ventura or the incident that we're talking about in	
10:48:05	19	Q	What did Mr. Kyle tell you?		10:50:25	19		this lawsuit?	
10:48:07	20	A	I don't recall exactly but I think he had		10:50:25	20	A	Not that I know of, Sir	
10:48:12	21		asked if -- if I would be, you know, willing to		10:50:27	21	Q	Are you a Twitter member?	
10:48:15	22		speak on his behalf with regards to the lawsuit. I		10:50:28	22	A	No. I don't know how to do it.	
10:48:19	23		said at that time that I -- I would.		10:50:31	23	Q	How about Google plus?	
10:48:21	24	Q	Did he tell you what he meant by speaking on		10:50:33	24	A	I'm not familiar with that	
10:48:23	25		his behalf?		10:50:35	25	Q	Any other social media that you're involved	

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10:50:37	1	in or that you use?			10:52:46	1	Miss Walker about scheduling matters, did you talk		
10:50:38	2	A No, Sir			10:52:49	2	to anybody to help refresh your recollection of what		
10:50:39	3	Q Do you have any websites where former SEALS			10:52:51	3	happened back in 2006?		
10:50:44	4	communicate with each other? Private websites?			10:52:52	4	A No, Sir		
10:50:48	5	A I'm on a -- a group website through LinkedIn			10:52:53	5	Q You didn't communicate at all with Chris		
10:50:55	6	that has former UDT SEAL members I don't use it			10:52:59	6	Kyle?		
10:50:59	7	very often I don't use it at all I just -- I get			10:52:59	7	A No, Sir		
10:51:02	8	updates from it			10:52:59	8	Q When's the last time you talked to him?		
10:51:04	9	Q Okay Have you ever seen any messages on			10:53:01	9	A I am honestly not sure, Sir		
10:51:06	10	the LinkedIn SEAL site that have anything to do with			10:53:05	10	Q You mentioned a telephone call right after		
10:51:10	11	Governor Ventura or the subject matter of this			10:53:08	11	this lawsuit hit the media Do you recall any		
10:51:13	12	lawsuit?			10:53:10	12	communications with Mr Kyle after that?		
10:51:13	13	A No, Sir			10:53:12	13	A Yes, Sir		
10:51:14	14	Q The affidavit -- or I should say declaration			10:53:14	14	Q Do you recall when, or under what		
10:51:24	15	that's been marked as Exhibit 1, that's the only			10:53:17	15	circumstances?		
10:51:27	16	declaration that you've prepared for this lawsuit;			10:53:18	16	A I was trying to have my memory -- have him		
10:51:28	17	correct?			10:53:22	17	help refresh my memory of the events that I recalled		
10:51:29	18	A Yes, Sir			10:53:25	18	from that night, Sir		
10:51:29	19	Q Has anyone asked you to prepare any			10:53:26	19	Q Okay So after the media stories came up		
10:51:31	20	additional declarations?			10:53:29	20	and you talked to Mr Kyle, you spoke to him again		
10:51:33	21	A No, Sir			10:53:31	21	to try to help refresh your memory?		
10:51:33	22	Q Did you do anything to prepare for your			10:53:33	22	A Can you say the question again?		
10:51:38	23	deposition today?			10:53:36	23	Q Sure You've already talked about one		
10:51:41	24	A Not part -- no			10:53:38	24	conversation you had with Mr Kyle right after media		
10:51:42	25	Q Did you review any documents?			10:53:40	25	reports surfaced about a lawsuit; correct?		
				Page 78					Page 80
10:51:44	1	A I reviewed my declaration.			10:53:43	1	A Correct		
10:51:46	2	Q Okay. Did you look at anything else?			10:53:43	2	Q And then I think I heard you say that you		
10:51:48	3	A No. The only things that I have are the			10:53:46	3	also talked to Mr Kyle subsequent to that		
10:51:53	4	subpoenas and -- and my declaration.			10:53:48	4	A Yes, Sir		
10:51:56	5	Q Did you search for any documents that you			10:53:49	5	Q And when you talked to Mr Kyle subsequent		
10:51:59	6	might have that could have something to do with this			10:53:52	6	to that, do you remember when it was?		
10:52:01	7	lawsuit?			10:53:53	7	A I don't have the exact time frame on -- on		
10:52:03	8	MR. DOWD: Let me interpose an objection to			10:53:58	8	all the calls that we spoke together, Sir		
10:52:04	9	the subpoena as it assumes where you're going, it			10:54:00	9	Q Do you know if it was in the last month, or		
10:52:07	10	was served -- he received it yesterday, and so the			10:54:02	10	was it six months ago?		
10:52:11	11	overbroad scope, the burdensome nature, including			10:54:03	11	A No, Sir, it would have been last Spring		
10:52:17	12	invasion of potential privacy issues, including			10:54:05	12	Q Okay And did he call you or did you call		
10:52:17	13	Department of Defense issues, we're objecting to the			10:54:07	13	him?		
10:52:20	14	subpoena and to the request for production.			10:54:08	14	A I don't recall		
10:52:23	15	So he's going to answer these questions but			10:54:08	15	Q Do you recall at all what the two of you		
10:52:25	16	it's subject to your stipulation he's not waiving			10:54:10	16	discussed during the -- the telephone calls --		
10:52:28	17	any of his objections. Is that agreed?			10:54:13	17	conversation last Spring?		
10:52:30	18	MR. OLSEN: That's agreed.			10:54:15	18	A I was asking questions trying to refresh my		
10:52:30	19	MR. DOWD: Go ahead and answer.			10:54:20	19	memory that this is what I remember I remember you		
10:52:32	20	THE WITNESS: Can you repeat the question,			10:54:26	20	guys kind of being in a -- in a certain area and I		
10:52:33	21	Sir?			10:54:28	21	was trying to get confirmation that my memories were		
10:52:35	22	QUESTIONS BY MR. OLSEN:			10:54:31	22	still correct and		
10:52:35	23	Q I'll withdraw that question.			10:54:35	23	Q Is this before or after you filled out your		
10:52:42	24	In preparation for your deposition today,			10:54:37	24	declaration?		
10:52:43	25	other than speaking to your lawyer and speaking to			10:54:39	25	A Before		

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10:54:42	1	Q	Did you have any written communications with		10:57:51	1	A	To my knowledge, yes, Sir	
10:54:46	2	Mr	Kyle during this period of time?		10:57:52	2	Q	Did you talk to anybody else since last	
10:54:48	3	A	I had a few text messages		10:57:57	3	Spring about trying to refresh your memory of events		
10:54:51	4	Q	Do you remember what any of the text		10:58:00	4	back in 2006?		
10:54:52	5	messages said?			10:58:01	5	A	Not that I recall, Sir	
10:54:55	6	MR DOWD:	Yeah He went ahead and had it		10:58:07	6	Q	Okay So you had an initial phone call with	
10:54:59	7	transcribed	It's just one, so to simplify the		10:58:09	7	Mr Kyle right after the media reports hit		
10:55:02	8	issue he's just going to give that to you			10:58:12	8	A	Yes, Sir	
10:55:19	9	MR OLSEN:	We'll go ahead and mark that		10:58:13	9	Q	You had some further communications with him	
10:55:21	10	MS WALKER:	And after you mark it, if I		10:58:15	10	in the Spring where you texted and faxed Any other		
10:55:22	11	could just see it			10:58:18	11	communications with Mr Kyle about the subject		
10:55:34	12	(Exhibit 4 marked for identification)			10:58:20	12	matter of this lawsuit?		
10:55:36	13	QUESTIONS BY MR OLSEN:			10:58:22	13	A	No, Sir	
10:56:01	14	Q	Mr Gassoff, you've handed me what's been		10:58:24	14	Q	So the last time you talked to Mr Kyle was	
10:56:03	15	marked as Exhibit No 4, which appears to be a			10:58:27	15	sometime in the Spring of 2012		
10:56:05	16	March 29, 2012, transcription of some text messages			10:58:30	16	A	I don't know if that's true, Sir We may	
10:56:10	17	Can you tell me what this document is?			10:58:33	17	have spoken since then We talk regarding other		
10:56:12	18	A	Yes, Sir I was trying to make sure that		10:58:38	18	issues as well, Sir		
10:56:15	19	the events as I recalled them were accurate, and			10:58:39	19	Q	How frequently do you communicate with	
10:56:19	20	asked Chris if he could refresh my memory and -- and			10:58:41	20	Mr Kyle?		
10:56:22	21	confirm that -- where they were when this event			10:58:42	21	A	It really varies Maybe a couple times a	
10:56:25	22	happened from what I remember was -- was true			10:58:51	22	year		
10:56:27	23	Q	And what did Mr Kyle respond?		10:59:02	23	Q	When's the last time you spoke to -- well,	
10:56:29	24	A	He -- he said it was		10:59:05	24	let me ask you a different question		
10:56:33	25	Q	May I have the document, please? Thank you		10:59:06	25	Have you ever spoken to Jeremiah Danell?		
				Page 82					Page 84
10:56:49	1	And you asked Mr. Kyle if he had a fax			10:59:10	1	A	I have not	
10:56:52	2	machine at home?			10:59:11	2	Q	How about John Jones?	
10:56:52	3	A	Yes, Sir.		10:59:14	3	A	Yes	
10:56:53	4	Q	And did you fax any information to him?		10:59:16	4	Q	Who is John Jones?	
10:56:55	5	A	I faxed him pretty much the same map that we		10:59:18	5	A	If it's the John Jones that I'm thinking of,	
10:56:59	6	have here in this exhibit.			10:59:22	6	he was a platoon commander at SEAL Team 5 when I was		
10:57:00	7	Q	And you're pointing to a Google map?		10:59:29	7	at 7	My platoon replaced his platoon in tour	
10:57:02	8	A	Yes, Sir.		10:59:35	8	Q	And have you ever spoken to Mr Jones about	
10:57:02	9	Q	And that's been marked as Exhibit No. 3?		10:59:37	9	the subject matter of this lawsuit?		
10:57:04	10	A	Yes, Sir.		10:59:39	10	A	No, Sir, I have not	
10:57:04	11	Q	And when you faxed the Google map to		10:59:40	11	Q	Or the incident that is the subject matter?	
10:57:08	12	Mr. Kyle, did he send any information back to you?			10:59:42	12	A	No, Sir	
10:57:09	13	A	I can't recall. I think he did.		10:59:42	13	Q	Do you know John Kelly?	
10:57:19	14	Q	Do you know how he responded to you?		10:59:45	14	A	JD Kelly, yes, Sir	
10:57:21	15	A	He confirmed that where -- the memories that		10:59:49	15	Q	Have you ever spoken to Mr Kelly or	
10:57:25	16	I had of where the incident took place was, in fact.			10:59:52	16	communicated with him about the subject matter of		
10:57:28	17	Q	And you've talked about that earlier today.		10:59:54	17	this lawsuit?		
10:57:31	18	When you say where the events took place, are you			10:59:54	18	A	No, Sir	
10:57:33	19	talking about the handwritten notations you made on			10:59:56	19	Q	How about Andrew Paul, do you know him?	
10:57:36	20	page 3 of Exhibit No. 3?			11:00:01	20	A	I know the name, Sir I don't know Andrew	
10:57:37	21	A	Yes, Sir.		11:00:04	21	very well personally		
10:57:39	22	Q	And you and Mr. Kyle communicated about		11:00:08	22	Q	How about Guy Budinscak?	
10:57:42	23	those locations, and after texting and sending faxes			11:00:10	23	A	I know Guy Budinscak	
10:57:47	24	back and forth, the two of you confirmed that that's			11:00:13	24	Q	And have you ever spoken to him about the	
10:57:49	25	where this alleged incident happened?			11:00:15	25	subject matter of this lawsuit?		

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				Page 85	Page 87
11:00:16	1	A No, Sir		11:01:59	1 point
11:00:17	2	Q And you do know Kevin Lasz; correct?		11:01:59	2 Q And have you ever talked to Mr Krusic about
11:00:19	3	A Yes, Sir		11:02:02	3 the subject matter of this lawsuit?
11:00:20	4	Q And you have spoken to him about this		11:02:03	4 A No, Sir, I have not
11:00:22	5	lawsuit; correct? Or I should say the subject		11:02:04	5 Q Have you ever otherwise communicated with
11:00:25	6	matter of the lawsuit		11:02:06	6 him?
11:00:26	7	A Yes, Sir		11:02:06	7 A No, Sir
11:00:26	8	Q And since the day at MCP's in October of		11:02:07	8 Q Other than Mr Kyle, have you ever spoken to
11:00:30	9	2006, have you commune -- communicated with Kevin		11:02:15	9 anyone who allegedly witnessed the confrontation
11:00:33	10	Lasz about any of the events that supposedly		11:02:20	10 between Mr Kyle and Governor Ventura?
11:00:35	11	happened that night?		11:02:23	11 A Could you repeat the question, please, Sir?
11:00:36	12	MS WALKER: I'm sorry, could you read the		11:02:25	12 Q Other than what Mr Kyle may have told you,
11:00:37	13	question back?		11:02:27	13 do you recall ever speaking to anyone who claims to
11:00:37	14	THE COURT REPORTER: And since the day at		11:02:30	14 have been a firsthand witness of what happened on
11:00:37	15	MCP's in October of 2006, have you commune --		11:02:33	15 October of 2006 between Mr Kyle and Governor
11:00:37	16	communicated with Kevin Lasz about any of the events		11:02:37	16 Ventura?
11:00:49	17	that supposedly happened that night?		11:02:37	17 A I don't believe so I'm -- I can't say
11:00:49	18	THE WITNESS: Not really		11:02:40	18 accurately
11:00:50	19	MR OLSEN: Asked and answered		11:02:45	19 Q Have you ever spoken to anyone since October
11:00:51	20	THE WITNESS: Sorry?		11:02:47	20 of 2006 who told you that Mr Kyle's story about his
11:00:52	21	MS WALKER: It's asked and answered, but		11:02:51	21 confrontation with Governor Ventura is not true?
11:00:53	22	ahead if you		11:02:54	22 A No, Sir
11:00:53	23	MR DOWD: Go ahead and answer		11:03:25	23 (Exhibit 5 marked for identification)
11:00:55	24	THE WITNESS: Okay I'm sure we have around		11:03:25	24 MS WALKER: Is this 5?
11:00:58	25	when all this was -- was kind of evolving last		11:03:27	25 THE COURT REPORTER: Yeah
				Page 86	Page 88
11:01:02	1	Spring I know we talked about it		11:03:29	1 QUESTIONS BY MR. OLSEN:
11:01:04	2	QUESTIONS BY MR OLSEN:		11:03:30	2 Q Mr. Gassoff, I've handed you a copy of
11:01:05	3	Q When you say last Spring, do you mean the		11:03:32	3 what's been marked as Exhibit No. 5, which I'll
11:01:07	4	Spring of 2012?		11:03:34	4 represent to you is a subpoena that was issued by my
11:01:08	5	A Yes, Sir		11:03:38	5 office in connection with this lawsuit to you, and
11:01:08	6	Q And how did you communicate with Mr Lasz?		11:03:40	6 it's dated September 10, 2012. I understand from
11:01:12	7	A By what means of communication?		11:03:45	7 your attorney that you received this subpoena
11:01:14	8	Q Sure Were you with him somewhere or --		11:03:47	8 yesterday?
11:01:15	9	A No, Sir --		11:03:47	9 A Yes, Sir.
11:01:15	10	Q -- did you talk on the phone?		11:03:49	10 Q And subject to your attorney's objections
11:01:16	11	A -- it would have been the telephone		11:03:52	11 that he's put on the record, did you make any
11:01:17	12	Q How many times did you talk to him, do you		11:03:54	12 attempt to locate any documents other than the one
11:01:19	13	know?		11:03:57	13 that's been marked as Exhibit No. 4 that may be
11:01:19	14	A I'm not sure, Sir We -- We speak often		11:03:59	14 responsive to the subpoena?
11:01:21	15	Q Do you remember what you said and what he		11:04:01	15 A Yes, Sir. I just did a quick cursory search
11:01:23	16	said about the alleged incident of October of 2006?		11:04:04	16 of e-mails and found nothing.
11:01:26	17	A No, Sir		11:04:06	17 Q Okay. What e-mail address did you search?
11:01:27	18	Q Do you know a gentleman named Ivan Krusic?		11:04:10	18 A The two e-mails that I primarily use. I
11:01:36	19	A Yes, Sir		11:04:14	19 have a Hotmail account and a work account.
11:01:37	20	Q Who is he?		11:04:16	20 Q Can you give me those e-mail addresses?
11:01:37	21	A He actually was an instructor that put me		11:04:19	21 MR. DOWD: You can give him the work
11:01:41	22	through training I think -- he's a SEAL, was on		11:04:23	22 address. He's testified that he search -- you
11:01:50	23	instructor duty when -- when I first met him, and		11:04:25	23 searched both of those e-mail addresses?
11:01:54	24	then I'm not sure when he went back, but he left		11:04:27	24 THE WITNESS: Yes, Sir.
11:01:57	25	instructor status, went back to a team at some		11:04:29	25 MR. DOWD: And how did you search them?

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11:04:30	1	THE WITNESS: I went through the search box	11:06:58	1	A I don't believe I did, Sir, but they would
11:04:33	2	and query, and typed Chris Kyle.	11:07:05	2	have actually come up -- the one came up that I
11:04:36	3	MR. DOWD: I'm going to object and instruct	11:07:13	3	asked for be -- prior to this, I asked for all the
11:04:39	4	him not to provide those e-mail addresses at this	11:07:15	4	documents that she had, my -- my testimony, and so I
11:04:43	5	time unless good cause can be shown as to the	11:07:17	5	typed in the query and that came up
11:04:44	6	reasonable likelihood that discoverable evidence and	11:07:21	6	Q I'm -- I'm trying to understand what you
11:04:48	7	admissible evidence may be found, but go ahead.	11:07:23	7	just said Can you explain it again?
11:04:52	8	QUESTIONS BY MR. OLSEN:	11:07:25	8	A So yesterday I had asked her to send me a
11:04:53	9	Q Okay. Let's talk about your search. You --	11:07:27	9	copy of my statement and a copy of the subpoenas so
11:04:53	10	what kind -- what kind of search tool did you use?	11:07:30	10	I could forward it to -- to my counsel So those --
11:04:56	11	A The -- I mean, the general -- the search	11:07:33	11	those came up when I did the search query
11:05:01	12	query for -- for the e-mail in -- in Outlook and in	11:07:35	12	Q And that's all you found?
11:05:05	13	Hotmail.	11:07:36	13	A That was all
11:05:07	14	Q And Outlook would be the work computer?	11:07:38	14	Q And how about the fax machine that you used
11:05:10	15	A Yes, Sir.	11:07:41	15	to provide information to Mr. Kyle, or receive
11:05:11	16	Q And is that a computer that's located at	11:07:44	16	information from Mr. Kyle on, does that have a
11:05:14	17	Lohr Distributing?	11:07:47	17	memory?
11:05:15	18	A It's on our network, Sir.	11:07:47	18	A I'm not sure, Sir
11:05:17	19	Q And how about your Hotmail account, is that	11:07:49	19	Q Did anyone make any attempts to search that
11:05:19	20	on the Lohr Distributing network as well?	11:07:52	20	to see if they could locate a copy of the fax that
11:05:21	21	A No, Sir. That's a regular Hotmail account.	11:07:56	21	was sent and received between you and Mr. Kyle?
11:05:25	22	Q Okay. Do you re -- where do you receive	11:07:57	22	A No, Sir
11:05:27	23	that, on what machine or machines?	11:07:58	23	Q Where is the fax machine located? Is that
11:05:30	24	A Multiple machines.	11:08:00	24	at your office?
11:05:33	25	Q So you can get the Hotmail on your phone?	11:08:01	25	A Yes, Sir I'm not sure which one I used
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11:05:35	1	You can get it on your work computer?	11:08:04	1	Q I take it you've got multiple fax machines
11:05:36	2	A Correct	11:08:08	2	here?
11:05:37	3	Q Do you have a home computer as well that you	11:08:08	3	A Yes, Sir, we do
11:05:39	4	get Hotmail on?	11:08:15	4	Q And just a little bit about your background
11:05:41	5	A Yes, Sir	11:08:18	5	I believe you said you attended the University of
11:05:42	6	Q Did you search your phone?	11:08:20	6	Michigan; correct?
11:05:43	7	A Yes, Sir	11:08:21	7	A Yes, Sir
11:05:43	8	Q Did you search your home computer?	11:08:21	8	Q You majored in Russia and East European
11:05:45	9	A No, Sir	11:08:24	9	studies?
11:05:47	10	Q What kind of machine do you use at home?	11:08:24	10	A Yes
11:05:51	11	A I have an Apple	11:08:24	11	Q And you did that when you were playing
11:05:55	12	Q And did you search your work computer for	11:08:26	12	hockey; right?
11:06:01	13	the Hotmail account?	11:08:27	13	A Yes, Sir
11:06:03	14	A Yes	11:08:27	14	Q And you played for Red Berenson?
11:06:05	15	Q You mentioned that the search term you used	11:08:29	15	A Yes, Sir
11:06:08	16	was Chris Kyle. Did you use any other search terms?	11:08:29	16	Q Who's been there forever?
11:06:11	17	A No, Sir	11:08:31	17	A Yes, Sir
11:06:11	18	Q Did you use Ventura, for example?	11:08:32	18	Q And then I understand that you've also
11:06:14	19	A No, Sir	11:08:34	19	attended Washington University in St. Louis?
11:06:15	20	Q Did you search Chris apart from the word	11:08:36	20	A Yes, Sir
11:06:23	21	Kyle, or Kyle apart from the word Chris?	11:08:37	21	Q When did you attend there?
11:06:27	22	A I didn't have it in -- in quotations, so it	11:08:38	22	A I'm currently attending, Sir
11:06:31	23	should have covered both bases	11:08:39	23	Q And do you have an MBA or are you in the MBA
11:06:35	24	Q Did you search for any e-mails you may have	11:08:44	24	program?
11:06:52	25	sent to or received from Miss Walker's law firm?	11:08:45	25	A I'm in the MBA program, Sir

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11:08:47	1	Q All right. Do you expect to receive a		11:10:21	1	A I -- I'm aware he's been on television I	
11:08:48	2	degree?		11:10:23	2	don't know if it's to promote his book or	
11:08:48	3	A Yes, Sir.		11:10:25	3	Q You've seen him on TV; right?	
11:08:48	4	Q And when do you expect to receive that?		11:10:27	4	A Yes, Sir, I have	
11:08:50	5	A December 7th.		11:10:28	5	Q Have you heard him on the radio?	
11:08:56	6	Q And Lohr Distributing company, and that's a		11:10:29	6	A No, Sir	
11:08:59	7	beverage and food distributor; correct?		11:10:30	7	Q Have you read the media interviews he's	
11:09:00	8	A Beverage, Sir.		11:10:32	8	done?	
11:09:02	9	Q Beverage?		11:10:32	9	A No	
11:09:02	10	A Yes, Sir.		11:10:33	10	Q Are you aware that he optioned the movie	
11:09:02	11	Q Is it a family owned business?		11:10:35	11	rights for his book as well?	
11:09:04	12	A Yes, Sir.		11:10:36	12	A No, Sir, I'm not	
11:09:05	13	Q And which part of the family has the		11:10:38	13	Q Are you aware that he's appearing on a	
11:09:07	14	ownership interest?		11:10:41	14	television show with celebrities who do special	
11:09:09	15	A My step-father's side of the family.		11:10:45	15	teams training?	
11:09:15	16	Q If I understood your testimony correctly		11:10:45	16	A No, Sir	
11:09:17	17	earlier this morning, you never trained with Chris		11:10:46	17	Q Knowing that he wrote a book, has promoted	
11:09:21	18	Kyle during your time in the Navy; correct?		11:10:48	18	it on TV and radio, has optioned the movie rights,	
11:09:22	19	A Correct, Sir.		11:10:52	19	and he's doing TV shows with celebrities, does that	
11:09:24	20	Q And you never directly served with him,		11:10:56	20	sound like a humble person to you?	
11:09:26	21	either?		11:10:58	21	A In my opinion, I think it could be construed	
11:09:27	22	A Correct, Sir.		11:11:08	22	either way I don't consider Chris a very loud,	
11:09:28	23	Q You made a comment in your declaration to		11:11:11	23	boisterous person	
11:09:36	24	the effect that you admire Mr. Kyle; is that		11:11:21	24	Q Miss Walker asked you about an oath of	
11:09:38	25	correct?		11:11:25	25	honesty that you took when you became a SEAL Do	
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11:09:38	1	A Yes, Sir.		11:11:27	1	you recall that?	
11:09:40	2	Q And you admire him because he represents		11:11:27	2	A Yes, Sir	
11:09:43	3	what the SEAL community is all about; is that true?		11:11:28	3	Q And you made a comment to the effect that	
11:09:45	4	A Yes, Sir.		11:11:32	4	the SEALs are a team, and you like the team aspect	
11:09:46	5	Q And you admire him because he's a humble		11:11:35	5	of it, kind of like when you were playing hockey;	
11:09:50	6	person?		11:11:38	6	right?	
11:09:50	7	A Yes, Sir.		11:11:38	7	A Yes, Sir	
11:09:51	8	Q And he's not a loud mouth and doesn't go		11:11:39	8	Q Do the SEALs have any other codes that they	
11:09:55	9	around beating his chest?		11:11:41	9	live by?	
11:09:57	10	A Yes, Sir.		11:11:42	10	A Many	
11:09:57	11	Q You said that?		11:11:45	11	Q Okay One of them is, SEALs don't run;	
11:09:57	12	A Yes, I did.		11:11:50	12	correct?	
11:09:58	13	Q And you believe that?		11:11:52	13	A I've heard that	
11:09:59	14	A Yes, I do.		11:11:53	14	Q Well, do you believe that?	
11:10:00	15	Q And you're aware, aren't you, that Mr. Kyle		11:11:54	15	A Pardon me?	
11:10:03	16	wrote a book; correct?		11:11:55	16	Q Do you believe that?	
11:10:03	17	A Yes, Sir.		11:11:56	17	A In what context, Sir?	
11:10:04	18	Q And it's titled, American Sniper, The Most		11:12:00	18	Q Well, I mean, let me try to frame it for	
11:10:08	19	Lethal Sniper in American History; correct?		11:12:03	19	you For example, a bunch of SEALs in a SEAL bar,	
11:10:10	20	A Yes, Sir.		11:12:08	20	if trouble starts, the SEALs aren't going to be the	
11:10:10	21	Q And there's a copy sitting on the table, and		11:12:11	21	ones to run, are they?	
11:10:12	22	you can see it over there; right?		11:12:12	22	A That's not necessarily true	
11:10:14	23	A Yes, Sir.		11:12:14	23	Q Have you ever heard a SEAL master chief	
11:10:14	24	Q And you're aware that Mr. Kyle has gone on		11:12:17	24	instruct anyone to punch and run when they're in a	
11:10:18	25	television and radio to promote his book; right?		11:12:21	25	civilian environment?	

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11:12:22	1	A No, Sir		11:14:18	1	Q And your total awareness was perhaps seeing	
11:12:23	2	Q And part of the SEAL code is that SEALs are		11:14:22	2	him on television or reading something about him in	
11:12:27	3	a team and they stick up for each other; right?		11:14:24	3	the newspapers?	
11:12:30	4	A That's correct, Sir		11:14:25	4	A Yes, Sir	
11:12:31	5	Q And it's team first; correct?		11:14:25	5	Q You didn't follow his career at all, did	
11:12:33	6	A Yes, Sir		11:14:28	6	you?	
11:12:33	7	Q And you told some stories earlier this		11:14:28	7	A No, Sir	
11:12:39	8	morning, and SEALs actually take an oath and they're		11:14:29	8	Q And you're probably not old enough to	
11:12:42	9	willing to die for each other; correct?		11:14:32	9	remember or had followed his wrestling career;	
11:12:44	10	A Yes, Sir		11:14:34	10	right?	
11:12:45	11	Q I want to read you a statement that's		11:14:35	11	A Unfortunately, I am, Sir	
11:12:53	12	recently been published by Rear Admiral Sean Pybus		11:14:37	12	Q And I think what you told Miss Walker is	
11:12:58	13	Do you know who he is?		11:14:42	13	that at the time you thought maybe he had some good	
11:12:59	14	A Yes, Sir, I do		11:14:46	14	points or issues but didn't really think about it	
11:12:59	15	Q It was published on September 20 -- or		11:14:49	15	too much; correct?	
11:13:02	16	September 4, 2012, by the Associated Press, talking		11:14:49	16	A That's correct, Sir	
11:13:04	17	about a book that was written by another SEAL And		11:14:50	17	Q Okay	
11:13:07	18	Admiral Pybus said, Hawking details about a mission		11:14:53	18	MS WALKER: What time period are you	
11:13:11	19	and selling other information about SEAL training		11:14:54	19	talking about?	
11:13:12	20	and operations puts the force and their families at		11:14:56	20	MR OLSEN: Prior to October of 2006	
11:13:15	21	risk		11:14:59	21	QUESTIONS BY MR OLSEN:	
11:13:16	22	Do you agree with that statement?		11:15:02	22	Q And Miss Walker also talked to you about the	
11:13:17	23	A Yes, Sir		11:15:06	23	October 2006, the event at McP's; correct? Do you	
11:13:18	24	Q And Admiral Pybus also said that, The SEALs		11:15:08	24	recall that?	
11:13:22	25	are an elite force and should be humble and		11:15:09	25	A Sir? Can -- can you repeat? I -- I have a	
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11:13:24	1	disciplined for life.		11:15:12	1	hard time hearing	
11:13:26	2	Do you agree with that?		11:15:13	2	Q Sure Miss Walker talked to you earlier	
11:13:26	3	A Yes, Sir.		11:15:15	3	today about the night you had at McP's in October of	
11:13:28	4	Q Admiral Pybus also said, People in and out		11:15:20	4	2006; correct?	
11:13:32	5	of uniform should not seek inappropriate monetary		11:15:20	5	A Yes, Sir	
11:13:35	6	profit from their service with the SEALs.		11:15:22	6	Q And if I understand correctly, you were	
11:13:37	7	Do you agree with that?		11:15:26	7	living in San Diego at the time and you were on	
11:13:39	8	A I really don't have an opinion one way or		11:15:28	8	active duty?	
11:13:45	9	the other.		11:15:30	9	A Yes, Sir	
11:13:46	10	MS. WALKER: I'm going to interject, do you		11:15:30	10	Q And you lived just a few blocks away, and	
11:13:47	11	have a copy of this article you're reading from?		11:15:33	11	your best memory is that you think you probably	
11:13:50	12	MR. OLSEN: Not with me.		11:15:35	12	walked to McP's that day; correct?	
11:13:50	13	MS. WALKER: Do you have the details on its		11:15:37	13	A Yes, Sir	
11:13:52	14	author?		11:15:39	14	Q And you don't really remember one way or the	
11:13:52	15	MR. OLSEN: September 4, 2012, Associated		11:15:42	15	other, that's just the way you think it probably	
11:13:56	16	Press.		11:15:44	16	happened because of the proximity; right?	
11:13:56	17	MS. WALKER: What was the headline and		11:15:45	17	A Yes, Sir	
11:13:57	18	byline?		11:15:45	18	Q And you talked about going to a funeral for	
11:13:58	19	MR. OLSEN: It had to do with the work that		11:15:51	19	Mikey Monsoor and you think that was somewhere	
11:14:00	20	you just mentioned earlier by the other SEAL.		11:15:54	20	around the noon hour; correct?	
11:14:09	21	QUESTIONS BY MR. OLSEN:		11:15:56	21	A Yes, Sir	
11:14:11	22	Q Now, before October of 2006, I understand		11:15:57	22	Q Who was with you when you went to the	
11:14:14	23	that you were generally aware of who Jesse Ventura		11:15:59	23	funeral?	
11:14:17	24	is?		11:15:59	24	A It was a lot of people I was personally	
11:14:17	25	A Yes, Sir.		11:16:08	25	escorting Debbie Lee	

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11:16:12	1	Q But you don't remember specifically which of		11:20:33	1	be marked Exhibits No 6 through 12, which I'll	
11:16:16	2	your current or former teammates were with you?		11:20:35	2	represent to you are various photographs that depict	
11:16:20	3	A No, it would have been anybody and everybody		11:20:39	3	different parts of the McP's restaurant in Coronado,	
11:16:22	4	who was in town		11:20:43	4	California	
11:16:25	5	Q Was anybody drinking alcohol prior to the		11:20:44	5	If you look first at Exhibit No 6, please?	
11:16:27	6	funeral?		11:20:46	6	A Yes, Sir	
11:16:28	7	A Not that I recall, Sir		11:20:46	7	Q Are you able to identify the McP's	
11:16:30	8	Q And did all of the SEALs attend in uniform		11:20:51	8	restaurant on Exhibit No 6?	
11:16:35	9	or just some of them?		11:20:52	9	A Yes, Sir	
11:16:36	10	A Pretty much everybody attends in uniform,		11:20:53	10	Q And do you see where, under the Google map	
11:16:38	11	Sir, if they're still active duty If -- some		11:20:55	11	aerial photo, there's an orange circle with an A in	
11:16:43	12	people who are friends that are no longer active		11:20:58	12	it?	
11:16:46	13	duty, they would show up in appropriate civilian		11:20:59	13	A Yes, Sir	
11:16:49	14	attire		11:21:00	14	Q Is that the entrance to McP's?	
11:16:50	15	Q And to the best of your memory, you went		11:21:02	15	A Yes, Sir	
11:16:52	16	home to change into civilian clothes, or a lower		11:21:02	16	Q And that's the entrance off of Orange	
11:16:55	17	class uniform before you went to McP's?		11:21:04	17	Avenue?	
11:16:57	18	A Civilian clothes		11:21:04	18	A Yes, it is, Sir	
11:16:59	19	Q And how about the other teammates that were		11:21:06	19	Q And if we're looking at Exhibit No 6, and	
11:17:04	20	at McP's, did they all change into civilian clothes		11:21:15	20	looking at the entrance to McP's off Orange Avenue,	
11:17:07	21	or were some of them still in uniform when they --		11:21:19	21	you mentioned a bar called Danny's that's down the	
11:17:07	22	A Some of them were probably still in uniform		11:21:22	22	street?	
11:17:19	23	Q You've been to McP's a number of times over		11:21:22	23	A Yes, Sir	
11:17:22	24	the years; correct?		11:21:22	24	Q Which way on the photograph would you need	
11:17:25	25	A I wouldn't say a lot but I have been there a		11:21:25	25	to go to get to Danny's?	
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11:17:28	1	number of times, yes, Sir		11:21:26	1	A Towards where the -- the blue, red and	
11:17:29	2	Q I mean, enough to be pretty familiar with		11:21:29	2	yellow Google emblem is on the top left of the	
11:17:30	3	the layout and the type of place it is; correct?		11:21:31	3	screen.	
11:17:33	4	A Yes, Sir		11:21:31	4	Q Okay. So you go to the upper left-hand area	
11:17:33	5	Q Is it a family friendly place?		11:21:33	5	of the photograph?	
11:17:36	6	A Yes, Sir		11:21:34	6	A Yes, Sir.	
11:17:38	7	Q It's kind of a sports bar? They serve		11:21:34	7	Q And is Danny's in this picture at all, or is	
11:17:40	8	appetizers, American type food?		11:21:37	8	that --	
11:17:44	9	A Yes, Sir		11:21:37	9	A No, Sir.	
11:17:44	10	Q And when you've been there on occasion, have		11:21:38	10	Q It's out of the frame?	
11:17:48	11	you seen families in there?		11:21:39	11	A Yes, Sir.	
11:17:49	12	A Yes, Sir		11:21:40	12	Q And you say it's about a 30 second walk from	
11:17:49	13	Q Do you know about how many people are able		11:21:43	13	McP's?	
11:17:53	14	to be seated at McP's both inside and on the patio?		11:21:44	14	A Well, maybe a minute.	
11:17:56	15	A I don't know, Sir		11:21:45	15	Q Maybe a minute?	
11:18:21	16	MR OLSEN: This is number 6, right?		11:21:46	16	A Yeah.	
11:18:23	17	THE COURT REPORTER: Yes		11:21:46	17	Q Okay. And there's two known SEAL hangout	
11:18:32	18	MR OLSEN: Just to speed this up, why don't		11:21:50	18	bars in Coronado. One of them is McP's; correct?	
11:18:32	19	we mark several of these at once		11:21:52	19	A Yes, Sir.	
11:20:14	20	MS WALKER: Thank goodness for Google maps;		11:21:53	20	Q And the other's Danny's?	
11:20:17	21	huh?		11:21:54	21	A That's correct.	
11:20:26	22	(Exhibit 6 through 12 marked for		11:21:56	22	Q If you look, please, at Exhibit No. 7?	
11:20:30	23	identification)		11:22:03	23	A Yes, Sir.	
11:20:30	24	QUESTIONS BY MR OLSEN:		11:22:03	24	Q Does this appear to be a view on the McP's	
11:20:31	25	Q Mr Kyle (sic), I've handed you what should		11:22:10	25	patio from the street overlooking the wall that	

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11:22:13	1	surrounds the patio?			11:24:18	1	A No, Sir, I can't remember.		
11:22:16	2	A I'm not sure what your question's asking,			11:24:19	2	Q Okay. In looking at Exhibit No. 7, do you		
11:22:19	3	Sir. It is a picture of Danny's -- or McP's, Sir.			11:24:21	3	know on which side of the wall it was, if it were		
11:22:23	4	Q Okay. It's a picture of McP's patio;			11:24:24	4	outside?		
11:22:25	5	correct?			11:24:24	5	A Oh, I'm looking at -- I don't know, Sir. It		
11:22:26	6	A Yes, Sir.			11:24:29	6	was on that general area. If I had to guess, I		
11:22:26	7	Q And on Exhibit No. 3 you earlier pointed out			11:24:31	7	would say outside.		
11:22:31	8	for Miss Walker where you and Ryan were for a			11:24:32	8	Q Okay. Well, we don't want you to guess. I		
11:22:37	9	portion of the evening. Can you point out on this			11:24:34	9	just want to know what you remember.		
11:22:39	10	photo where the two of you were?			11:24:35	10	A I don't remember --		
11:22:41	11	A Well, it would have been inside the wall,			11:24:35	11	Q If you don't --		
11:22:46	12	but probably, if you're looking at the trees, if you			11:24:36	12	A -- the details well enough to say --		
11:22:49	13	start at the bicycle, the tree to the right being			11:24:38	13	Q Okay.		
11:22:53	14	tree one, and go down one more tree, it would have			11:24:38	14	A -- exactly sure.		
11:22:56	15	been the second tree was -- in between those two			11:24:40	15	Q Okay. We'll look at some other photos, that		
11:22:59	16	trees was generally where we were standing.			11:24:42	16	might help you.		
11:23:00	17	Q You were in between the first and the second			11:24:43	17	Let's look at Exhibit No. 8. Is Exhibit		
11:23:03	18	trees going from the left side of the photograph?			11:24:48	18	No. 8 a photograph of McP's patio?		
11:23:04	19	A That's correct, Sir.			11:24:51	19	A Yes, Sir.		
11:23:05	20	Q And where was Governor Ventura?			11:24:51	20	Q And are you able to orient yourself to where		
11:23:10	21	A He would have been over where those people			11:24:59	21	Orange Avenue would be on Exhibit No. 8?		
11:23:14	22	are sitting down to the right of the red and white			11:25:01	22	A Yes, I think it's -- would be off to the		
11:23:18	23	umbrella.			11:25:04	23	right, off -- or sorry, to the left off the picture.		
11:23:20	24	Q Okay. So if we look at the bicycle in the			11:25:06	24	Q Okay. And again, the same questions, if you		
11:23:24	25	lower left-hand corner?			11:25:11	25	can identify for us on Exhibit No. 8 where you and		
				Page 106					Page 108
11:23:25	1	A Beyond it, Sir			11:25:13	1	Ryan were, first?		
11:23:26	2	Q Immediately beyond the bicycle there's a			11:25:17	2	A Yes, we would have been -- well, it's kind		
11:23:27	3	couple of tables that were there, and that's where			11:25:21	3	of hard to say, or see, but kind of by that middle		
11:23:30	4	Mr Ventura and the older SEALs were?			11:25:25	4	tree. The -- actually, on this picture, it would be		
11:23:33	5	A That's where I remember them being, Sir			11:25:28	5	the tree to the right, beyond the gentleman in the		
11:23:39	6	Q And you talked with Mr Walker (sic) about			11:25:32	6	blue shirt, right around there.		
11:23:42	7	where the commotion took place Can you identify on			11:25:35	7	Q Okay. On the far right there's a gentleman		
11:23:45	8	Exhibit No 7 where the commotion was?			11:25:37	8	in a red shirt and seated at the table with him is a		
11:23:46	9	A Yes, Sir From what I remember, it would			11:25:39	9	gentleman in a blue shirt?		
11:23:48	10	have been to the right side of this picture by the			11:25:40	10	A Yes, Sir.		
11:23:50	11	wall			11:25:40	11	Q And you think you would have been right		
11:23:52	12	Q How far to the right?			11:25:42	12	behind that table?		
11:23:53	13	A I -- I mean --			11:25:43	13	A Behind, left of the guy with the red shirt,		
11:23:55	14	Q Again, you can --			11:25:46	14	looking at the picture, behind the -- the gentleman		
11:23:56	15	A -- I don't know exactly, Sir			11:25:48	15	in the blue shirt by the trees.		
11:23:57	16	Q -- you can use the trees as markers			11:25:50	16	Q Okay. And where was -- where was Governor		
11:23:58	17	There's a small tree on the far right-hand corner of			11:25:52	17	Ventura and his group, if you can tell on this		
11:24:01	18	the photograph, and then if we go to the left			11:25:55	18	picture?		
11:24:02	19	there's -- we can number the trees going left			11:25:56	19	A So they would have been pretty much right,		
11:24:05	20	A Yeah, it was around that middle tree, Sir			11:25:59	20	from what I recall, in front of -- this picture, in		
11:24:09	21	Q Okay So it was inside the walls?			11:26:01	21	front of the -- this -- the fire pit? I don't even		
11:24:12	22	A I really can't recall It was pretty -- I			11:26:06	22	know if that was there then.		
11:24:14	23	think it was outside, Sir			11:26:07	23	Q Okay. But toward the center of the patio		
11:24:15	24	Q Okay But you're not sure if it was inside			11:26:09	24	on --		
11:24:17	25	or outside?			11:26:09	25	A Yes, Sir.		

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11:26:09	1	Q -- this picture? And are you able to tell		11:28:12	1	McP's patio?	
11:26:12	2	on this picture, or -- or does this picture depict		11:28:13	2	A Yes, Sir	
11:26:15	3	where you believe the commotion took place that you		11:28:13	3	Q And can you orient yourself to tell us where	
11:26:17	4	described?		11:28:16	4	Orange Avenue would be in this photo?	
11:26:17	5	A No, Sir		11:28:18	5	A It would be to the right, and you can just	
11:26:20	6	Q Okay Let's look at Exhibit No 9 Is this		11:28:22	6	kind of see it beyond to the right of the heater,	
11:26:26	7	also a view of the McP's patio?		11:28:24	7	the pole heater	
11:26:30	8	A Yes, Sir		11:28:25	8	Q Okay And can you orient yourself to tell	
11:26:31	9	Q And this one we're looking at the door that		11:28:27	9	us where the parking lot is?	
11:26:32	10	goes into the bar area?		11:28:29	10	A The parking lot would be off to the left	
11:26:33	11	A Yes, Sir		11:28:32	11	here, Sir	
11:26:34	12	Q And on this picture, are you able to tell		11:28:32	12	Q Okay And on this photograph, are you able	
11:26:38	13	me, or does this picture show where you and Ryan		11:28:37	13	to see the location where you believe the commotion	
11:26:41	14	were, where Governor Ventura was, or where the		11:28:39	14	took place that you talked about?	
11:26:44	15	commotion was?		11:28:40	15	A Yes, Sir	
11:26:44	16	A No, Sir		11:28:41	16	Q And where is that?	
11:26:47	17	Q Let's look at Exhibit No 10 Is Exhibit		11:28:42	17	A It would be, I mean, along this wall here by	
11:26:55	18	No 10 a photograph of the McP's patio?		11:28:45	18	the parking lot, Sir	
11:26:57	19	A Yes, Sir		11:28:47	19	Q Okay And you don't remember one way or the	
11:26:58	20	Q And on Exhibit No 10, are you able to		11:28:49	20	other whether it was inside the wall or outside the	
11:27:01	21	orient yourself to tell us on which side Orange		11:28:51	21	wall?	
11:27:04	22	Avenue would be?		11:28:51	22	A I really can't say, Sir I	
11:27:04	23	A It would be to the right, Sir		11:28:55	23	Q Okay But it was in that general area?	
11:27:07	24	Q Okay And can you point out on this picture		11:28:56	24	A Yes, Sir, it was	
11:27:09	25	where you and Ryan were?		11:28:58	25	Q And where were you standing, if you can	
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11:27:10	1	A So we would have been approximately between		11:29:00	1	point out for us on Exhibit No. 11, when the	
11:27:15	2	where the heater is and the gentleman to the right		11:29:02	2	commotion took place?	
11:27:18	3	in the Hard Rock shirt		11:29:03	3	A I was over by the -- kind of around that	
11:27:25	4	Q Okay When you say the heater, are you		11:29:07	4	door that goes inside to the bar. There's a bar	
11:27:27	5	talking about a pole heater?		11:29:11	5	underneath the awning where it says, Live music; I	
11:27:28	6	A Yes, Sir		11:29:15	6	was kind of standing in that entranceway area.	
11:27:29	7	Q And where were Governor Ventura and his		11:29:17	7	Q And you estimate that to be about 50 feet	
11:27:33	8	group?		11:29:20	8	away?	
11:27:34	9	A At that time, they would have been to the		11:29:20	9	A Yes, Sir.	
11:27:39	10	right where the group of people seated at the table		11:29:20	10	Q Let's look at Exhibit No. 12, please. Is	
11:27:44	11	with the red and white umbrella, and the Samuel		11:29:29	11	Exhibit No. 12 a photograph of the McP's patio?	
11:27:48	12	Adams --		11:29:32	12	A Yes, it is, Sir.	
11:27:48	13	Q Okay		11:29:33	13	Q And are you able to orient yourself from	
11:27:48	14	A -- umbrella		11:29:35	14	this photograph to tell us where Orange Avenue is?	
11:27:48	15	Q There's a -- a gentleman in a blue hooded		11:29:38	15	A It would have been to the left and behind	
11:27:51	16	sweatshirt there?		11:29:42	16	the -- the perspective of this picture.	
11:27:51	17	A Yes, Sir		11:29:45	17	Q Okay. And are you able to tell from this	
11:27:52	18	Q So they would have been in that area?		11:29:47	18	photograph, or describe from this photograph for us,	
11:27:53	19	A Yes, Sir		11:29:50	19	where the commotion took place that you talked	
11:27:54	20	Q All right And does this picture show where		11:29:52	20	about?	
11:27:56	21	the commotion was?		11:29:53	21	A Yes. Generally, I -- between the -- the two	
11:27:58	22	A No, Sir Not that I recall It would have		11:29:57	22	trees, kind of just beyond the umbrella. In between	
11:28:01	23	been off to the left		11:30:02	23	the two trees, the green umbrella.	
11:28:03	24	Q Okay Let's look at Exhibit No 11 Does		11:30:04	24	Q The green umbrella in the center of the	
11:28:10	25	Exhibit No 11 appear to be a photograph of the		11:30:05	25	photograph?	

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11:30:05	1	A Yes, Sir So on -- on the other side of the		11:32:02	1	A Not in my opinion, Sir	
11:30:09	2	umbrella		11:32:05	2	Q So if somebody wrote that about SEAL wakes	
11:30:09	3	Q Okay And we can see that there is a		11:32:07	3	at McP's, that wouldn't be true?	
11:30:11	4	parking lot over in that direction?		11:32:11	4	A That might be someone's interpretation, Sir,	
11:30:12	5	A Yes, Sir		11:32:13	5	but it's not mine	
11:30:13	6	Q And where were you standing when the		11:32:14	6	Q Okay And in your experience, that's not	
11:30:17	7	commotion took place?		11:32:16	7	what happens at SEAL wakes?	
11:30:17	8	A I would have been off to the right		11:32:19	8	A That's not how I partake in SEAL wakes, Sir	
11:30:21	9	Q Okay And earlier in the day, can you tell		11:32:24	9	Q Do you observe others doing that?	
11:30:23	10	us where you were seated on Exhibit No 12, or where		11:32:25	10	A Sometimes	
11:30:27	11	you and Ryan were actually sitting?		11:32:27	11	Q Drinking excessively?	
11:30:28	12	A We were over where the -- the gentleman and		11:32:29	12	A Sometimes people	
11:30:32	13	the lady are seated The gentleman in the white		11:32:34	13	Q On this day in October 2006 when you were at	
11:30:35	14	pants and the dark shirt, and the lady with the		11:32:39	14	McP's and saw Governor Ventura there, you don't	
11:30:39	15	white pants and the -- the colored top, dark hair,		11:32:43	15	remember exactly what time you got there; right?	
11:30:41	16	with her back to us		11:32:45	16	A No, Sir	
11:30:42	17	Q In the center of the photograph by the wall?		11:32:46	17	Q And you don't really recall who, if anybody,	
11:30:44	18	A Yes, Sir		11:32:49	18	you were with when you arrived; right?	
11:30:46	19	MS WALKER: I'm sorry, can you point --		11:32:51	19	A No, Sir	
11:30:48	20	THE WITNESS: Right here		11:32:52	20	Q Did you have a group of people that you hung	
11:30:49	21	QUESTIONS BY MR OLSEN:		11:32:56	21	out with or did you just pretty much stick with Ryan	
11:30:49	22	Q And where were Governor Ventura and his		11:32:58	22	and Debbie Job?	
11:30:51	23	group seated?		11:33:00	23	A That night, Sir?	
11:30:52	24	A Again, I -- I remember them being kind of		11:33:01	24	Q Yes	
11:30:55	25	around where this fire pit is now, if that's what		11:33:02	25	A I would have moved around all night going	
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11:30:59	1	that is, and maybe on this side of it		11:33:06	1	from one friend to another, one group of people to	
11:31:02	2	Q Okay It appears to be a fire pit, and you		11:33:09	2	another group	
11:31:05	3	don't recall whether there was or wasn't a fire pit		11:33:10	3	Q Okay And when Miss Walker was questioning	
11:31:07	4	back then?		11:33:12	4	you, did you identify all of the people that you can	
11:31:08	5	A I'm pretty sure there was not, Sir		11:33:15	5	recall running into that night?	
11:31:17	6	Q I believe I've heard you say that over the		11:33:16	6	A The people that I could recall, yes, but	
11:31:20	7	past several years you've been to a number of wakes		11:33:21	7	certainly a lot more than that	
11:31:22	8	at McP's?		11:33:23	8	Q Sure You said it was very crowded there;	
11:31:23	9	A Yes, Sir		11:33:25	9	right?	
11:31:24	10	Q And that's usually the unfortunate occasion		11:33:25	10	A Yes, Sir	
11:31:27	11	when you'd go there?		11:33:26	11	Q Shoulder to shoulder people?	
11:31:28	12	A Yes, Sir		11:33:27	12	A Yes, Sir	
11:31:30	13	Q And in your declaration, I believe you said		11:33:28	13	Q And you could have met dozens of your	
11:31:33	14	that you never saw people get out of control at		11:33:30	14	friends or acquaintances or teammates and you just	
11:31:36	15	those wakes, that's not what it's about Is that		11:33:34	15	don't recall if you did or who they were	
11:31:40	16	what you said?		11:33:36	16	A That's correct, Sir	
11:31:40	17	A Correct		11:33:37	17	Q And because you've been to a number of these	
11:31:41	18	Q Let me read you a description and ask you if		11:33:39	18	events at McP's, they tend to run together as far as	
11:31:43	19	it's true SEAL funerals are kind of like Irish		11:33:42	19	who was at which one; correct?	
11:31:47	20	wakes except there's a lot more drinking, which begs		11:33:43	20	A Unfortunately, Sir	
11:31:50	21	this question, how much beer do you need for a SEAL		11:33:48	21	Q And have you told us everything you can	
11:31:53	22	wake? That is classified information but rest		11:33:51	22	remember about what you and Mr Kyle and Ryan talked	
11:31:56	23	assured, it's more than a metric ass ton		11:33:53	23	about for most of the evening?	
11:31:59	24	Is that an accurate description of what goes		11:33:55	24	A Yes, Sir	
11:32:01	25	on at SEAL wakes?		11:33:58	25	Q And you really don't have a good memory of	

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11:34:01	1	what any of the three of you said that night to each		11:36:28	1	Q When you were at McP's on that October			
11:34:04	2	other, other than your lasting impression that Ryan		11:36:33	2	evening in 2006, did you observe any of the team			
11:34:07	3	was upbeat and was positive		11:36:37	3	members climbing a concrete wall nearby?			
11:34:09	4	A That's correct, Sir		11:36:40	4	A No, Sir.			
11:34:10	5	Q And am I accurate to say that some of the		11:36:40	5	Q Have you ever seen them do that before?			
11:34:20	6	teammates that you did name, some of the ones you		11:36:42	6	A Climb a concrete wall, Sir?			
11:34:24	7	did recall, you recall them because they spent a lot		11:36:46	7	Q Near McP's?			
11:34:26	8	of time with Ryan that evening?		11:36:47	8	A Near McP's? No, Sir.			
11:34:27	9	A I kind of remember seeing them around Ryan		11:36:50	9	Q Did you see any of the SEAL team members			
11:34:32	10	at that time that I was there, yes, Sir		11:36:53	10	throwing up that night?			
11:34:43	11	Q Were people -- were -- were the team		11:36:54	11	A No, Sir.			
11:34:46	12	members, the SEAL team members, eating that night,		11:36:54	12	Q Would it surprise you if other witnesses			
11:34:48	13	or just drinking, or both?		11:36:58	13	said that some of the SEALs were drinking so much			
11:34:51	14	A I mean, I can't recall everyone's individual		11:37:01	14	that they were throwing up?			
11:34:55	15	habits, but there's generally appetizers or		11:37:04	15	A Can you repeat the question, Sir?			
11:34:58	16	hors d'oeuvres at -- at McP's		11:37:06	16	Q Sure. Would it surprise you if other			
11:35:00	17	Q And how does it usually work when there's a		11:37:08	17	witnesses said that on that night in October 2006,			
11:35:03	18	wake there for a fallen SEAL? Does somebody just		11:37:13	18	some of the SEALs were drinking so much that they			
11:35:06	19	open a big tab or does everybody take care of their		11:37:15	19	were throwing up?			
11:35:09	20	own?		11:37:16	20	MS. WALKER: Misstates prior testimony.			
11:35:10	21	A Generally what happens is the Naval Special		11:37:19	21	MR. DOWD: You can answer.			
11:35:16	22	Warfare Foundation will -- will take the burden of		11:37:20	22	THE WITNESS: No, Sir.			
11:35:21	23	some of the funeral and wake costs		11:37:22	23	QUESTIONS BY MR. OLSEN:			
11:35:29	24	Q What is the Naval Special Warfare		11:37:22	24	Q That wouldn't surprise you?			
11:35:33	25	Foundation?		11:37:23	25	A No, Sir.			
				Page 118					Page 120
11:35:33	1	A It's a foundation that supports families of		11:37:24	1	Q You've said that sometime after you arrived			
11:35:38	2	the -- our fallen SEALs.		11:37:41	2	at McP's, when it was still daylight, you became			
11:35:39	3	Q Is that a private foundation or is it		11:37:44	3	aware that Governor Ventura was there; right?			
11:35:42	4	Government run?		11:37:48	4	A Yes, Sir			
11:35:42	5	A I'm not sure, Sir. I don't believe it's		11:37:49	5	Q And you recognized him because you had seen			
11:35:45	6	Government run. I believe it's private, but I'm not		11:37:51	6	him on television; right?			
11:35:47	7	certain.		11:37:52	7	A Yes, Sir			
11:35:47	8	Q And it wouldn't be unusual for that fund to		11:37:53	8	Q Do you know how many people -- they've been			
11:35:51	9	pick up some of the tab for a wake at McP's?		11:38:00	9	described variously by different folks who were			
11:35:54	10	A Generally not. It depends on -- on the		11:38:02	10	there as older SEALs or, you know, older team			
11:35:56	11	family's ability to pay for costs and -- and they		11:38:07	11	members Do you know how many of the older group			
11:36:01	12	help offset some travel for the families of the		11:38:09	12	were with Governor Ventura that night?			
11:36:04	13	fallen soldiers, and ...		11:38:11	13	A No, Sir. I'd say it's likely it was			
11:36:07	14	Q Do you recall how you paid for whatever you		11:38:16	14	anywhere from 8 to 12			
11:36:09	15	had to eat or drink that night?		11:38:20	15	Q Okay And you said you believed they were			
11:36:10	16	A No, Sir.		11:38:23	16	there for a graduation ceremony; right?			
11:36:10	17	Q Do you recall if you paid or if someone else		11:38:26	17	A Yes, Sir			
11:36:13	18	picked up the tab?		11:38:26	18	Q Did you know that or is that just your			
11:36:14	19	A I don't recall, Sir.		11:38:28	19	assumption?			
11:36:15	20	Q If I wanted to find out if the Naval Special		11:38:29	20	A That's what I believe I was told			
11:36:22	21	Warfare Foundation picked up the tab that night, do		11:38:31	21	Q Who told you that?			
11:36:24	22	you know who I would ask or --		11:38:31	22	A I don't remember, Sir			
11:36:25	23	A No, Sir.		11:38:33	23	Q And you thought that they were going to a			
11:36:25	24	Q -- what type of documents I would look for?		11:38:35	24	graduation ceremony on the day following; right?			
11:36:27	25	A No, Sir.		11:38:38	25	A If I -- I -- that's what I remember			

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11:38:40	1	Q	All right Do you know whether it was, in		11:40:29	1	mother?		
11:38:42	2		fact, the day following, or if they had already just		11:40:30	2	A No, Sir		
11:38:44	3		come from a graduation ceremony?		11:40:30	3	Q And if I understood you correctly earlier		
11:38:46	4	A	I'm pretty sure it was the day following		11:40:39	4	this morning, throughout the entire evening you		
11:38:48	5	Q	And how do you know that?		11:40:44	5	never heard Governor Ventura say anything other than		
11:38:50	6	A	That's just -- I don't know why I remember		11:40:48	6	when you had this conversation with him with Marc		
11:38:54	7		that It's just what I remember		11:40:51	7	Lee's mother; correct?		
11:38:55	8	Q	Okay And if I understood you correctly		11:40:52	8	A Can you repeat the whole question, Sir?		
11:38:58	9		earlier today, other people around were commenting		11:40:54	9	Q Sure The only time you actually heard		
11:39:02	10		to you that Governor Ventura was present; right?		11:40:56	10	Governor Ventura say anything the entire evening is		
11:39:04	11	A	Yes, Sir		11:40:58	11	when you went up to talk to him with Debbie Lee?		
11:39:05	12	Q	And there were a number of people that		11:41:02	12	A That was the only time I heard him speak,		
11:39:10	13		wanted to meet him that day; correct?		11:41:04	13	yes, Sir		
11:39:11	14	A	Yes, Sir		11:41:04	14	Q Okay And everything else that you know		
11:39:12	15	Q	And that's because he's somewhat of a		11:41:07	15	about what he said or what he might have said or		
11:39:16	16		celebrity in the SEAL community; right?		11:41:09	16	what he supposedly said comes from somebody else;		
11:39:18	17	A	I think people just generally know who he is		11:41:12	17	right?		
11:39:21	18		and wanted to go up and introduce themselves		11:41:12	18	A Yes, Sir		
11:39:23	19	Q	Okay And I think, if I remember your		11:41:13	19	Q In your declaration, you made a comment to		
11:39:26	20		phrase, you waited for your chance, or your		11:41:40	20	the effect that you didn't know if Governor Ventura		
11:39:29	21		opportunity, and then you and Ryan's mom went up to		11:41:43	21	was drinking but he acted like he was Do you		
11:39:33	22		meet him; correct?		11:41:47	22	recall saying that in your declaration?		
11:39:34	23	A	No, Sir		11:41:48	23	A I recall that		
11:39:35	24	Q	Who's --		11:41:50	24	Q Okay And it's correct that you have no		
11:39:36	25	A	Debbie Lee's --		11:41:53	25	idea whether Governor Ventura was drinking or not;		
				Page 122					Page 124
11:39:38	1	Q	I've got that		11:41:56	1	correct?		
11:39:38	2	A	Marc -- Marc Lee's mother		11:41:56	2	A I -- I don't recall actually seeing him		
11:39:40	3	Q	Marc Lee's mother		11:41:59	3	drink, Sir.		
11:39:40	4	A	Yes, Sir		11:41:59	4	Q Okay. And you say he acted like he was.		
11:39:41	5	Q	And how long did you have to wait for your		11:42:02	5	What do you mean by that?		
11:39:43	6		opportunity before you got to meet Governor Ventura?		11:42:03	6	A Just the general perception from the		
11:39:44	7	A	I don't recall		11:42:05	7	conversation I had with Debbie, and speaking really		
11:39:50	8	Q	And if I understood you correctly, the only		11:42:08	8	loudly, and even just kind of very loud and vocal.		
11:39:53	9		time that you actually talked to Governor Ventura		11:42:14	9	Q Never been around Governor Ventura before,		
11:39:55	10		face-to-face that evening is when you went up to him		11:42:18	10	have you?		
11:39:59	11		with Marc Lee's mother; correct?		11:42:18	11	A Guess not, Sir.		
11:40:01	12	A	That's correct, Sir		11:42:19	12	Q Do you have an understanding from what		
11:40:01	13	Q	And how long did that whole conversation		11:42:21	13	you've seen on television that Governor Ventura is		
11:40:03	14		take?		11:42:23	14	always pretty loud and vocal?		
11:40:03	15	A	I can't remember, Sir Probably no more		11:42:25	15	A Do -- Can you repeat the question, Sir?		
11:40:06	16		than four, five minutes		11:42:30	16	Q Sure. Do you -- do you have any		
11:40:08	17	Q	Okay And were there other people waiting		11:42:32	17	understanding at all from what you've seen on		
11:40:10	18		to meet him at the time?		11:42:34	18	television that Governor Ventura is always pretty		
11:40:11	19	A	I don't remember, Sir		11:42:36	19	loud and vocal?		
11:40:14	20	Q	And other than the impressions that you've		11:42:37	20	A I guess I've not had that perception before.		
11:40:18	21		described, and the disappointment that you		11:42:39	21	Q How about from his wrestling days when he		
11:40:20	22		mentioned, you don't recall specifically what		11:42:41	22	was a commentator, with the -- the booming, low		
11:40:23	23		Governor Ventura said?		11:42:42	23	voice?		
11:40:26	24	A	When, Sir?		11:42:42	24	A I wasn't a big wrestling fan, Sir, so ...		
11:40:27	25	Q	When you were talking to him with Marc Lee's		11:42:47	25	Q So am I correct that when Chris Kyle spoke		

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11:42:58	1	to Governor Ventura, if, in fact, he did, that you		11:45:02	1	Q Is it correct that you didn't see anything	
11:43:02	2	didn't hear anything that Chris Kyle said or that		11:45:04	2	that went on in connection with the commotion you	
11:43:05	3	Governor Ventura said?		11:45:06	3	described?	
11:43:05	4	A That's correct, Sir		11:45:08	4	A That's correct, I just saw the commotion	
11:43:08	5	Q Did you ever observe Chris Kyle talking to		11:45:11	5	Q And you don't know who was involved in the	
11:43:12	6	Governor Ventura?		11:45:13	6	commotion based on what you were able to observe;	
11:43:12	7	A I don't recall, Sir		11:45:16	7	correct?	
11:43:13	8	Q You described a commotion that took place		11:45:16	8	A That's correct	
11:43:32	9	later in the evening You don't know what time that		11:45:17	9	Q And everything you know about what happened	
11:43:35	10	was, do you?		11:45:20	10	or what might have happened was something you heard	
11:43:36	11	A That's correct, Sir		11:45:23	11	from somebody else; right?	
11:43:37	12	Q Was it light or dark?		11:45:24	12	A That's correct	
11:43:38	13	A Dark, Sir		11:45:31	13	Q Did you see any tables getting knocked over	
11:43:40	14	Q And you don't really recall what time you		11:45:33	14	in connection with the commotion?	
11:43:44	15	left McP's; correct?		11:45:35	15	A I don't recall, Sir	
11:43:45	16	A I don't		11:45:36	16	Q Is it an unusual occurrence to have an	
11:43:45	17	Q And you don't recall if anybody left with		11:45:50	17	altercation or a fight at McP's when there's a bunch	
11:43:48	18	you; right?		11:45:54	18	of SEALs there?	
11:43:49	19	A I don't remember exactly		11:45:55	19	A At a funeral? Yes	
11:43:52	20	Q Do you know if you left before or after		11:45:57	20	Q How about on other evenings?	
11:43:57	21	9 o'clock p m ?		11:46:01	21	A I'm not there very much, so -- otherwise, so	
11:43:58	22	A No, Sir		11:46:03	22	I wouldn't be able to really say	
11:43:59	23	Q Before or after 11 o'clock p m ?		11:46:05	23	Q Did you see Chris Kyle after the commotion	
11:44:01	24	A No, Sir		11:46:12	24	that you described?	
11:44:04	25	Q And you think you probably went home but you		11:46:12	25	A I don't remember seeing him after	
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11:44:07	1	don't recall; right?		11:46:15	1	Q You don't recall seeing him leave, saying	
11:44:09	2	A I don't recall but I'm -- I don't think I		11:46:17	2	good-bye to him, anything like that?	
11:44:12	3	would have gone anywhere else		11:46:19	3	A No, Sir.	
11:44:14	4	Q Are you aware that a group went to Danny's		11:46:19	4	Q And I take it you didn't see Governor	
11:44:17	5	afterward?		11:46:26	5	Ventura after this commotion you described.	
11:44:17	6	A No, Sir		11:46:28	6	A Correct, Sir.	
11:44:18	7	Q And you don't have any memory of going to		11:46:29	7	Q And you don't know what time he left?	
11:44:21	8	Danny's after McP's --		11:46:32	8	A No, Sir.	
11:44:23	9	A No, Sir		11:46:32	9	Q Or who he left with?	
11:44:23	10	Q -- where everybody went You talked about a		11:46:34	10	A No, Sir.	
11:44:37	11	commotion, and then how long after the commotion did		11:46:35	11	Q Or which door he left out of?	
11:44:38	12	you say you left McP's?		11:46:37	12	A No, Sir.	
11:44:40	13	A I -- I mean, I really don't recall the exact		11:46:38	13	Q Do you recall ever seeing the police show up	
11:44:45	14	timeline, it's been so long, but maybe a half hour		11:46:48	14	after the commotion?	
11:44:51	15	Q Okay		11:46:51	15	A I remember there being police around, but	
11:44:51	16	A Maybe longer		11:46:54	16	that's pretty standard in Coronado. It's small.	
11:44:52	17	Q Am I correct that you didn't see anything		11:46:59	17	Q And from what I understand, the police run a	
11:44:54	18	that went on?		11:47:02	18	pretty tight ship in Coronado?	
11:44:54	19	A No, Sir		11:47:04	19	A Yes, Sir.	
11:44:55	20	Q I'm not correct, or you -- I mean --		11:47:04	20	Q They -- they don't put up with barroom	
11:44:59	21	A I -- correct, I --		11:47:08	21	brawls?	
11:44:59	22	Q -- we have a double --		11:47:08	22	A Correct, Sir.	
11:45:00	23	A Can you rephrase --		11:47:09	23	Q And have you seen people arrested in barroom	
11:45:00	24	Q -- negative		11:47:10	24	brawls before?	
11:45:01	25	A Can you rephrase the question, please?		11:47:10	25	A No, Sir.	

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11:47:11	1	Q	Have you seen the police intervene?		11:49:32	1	you told your parents and you told other people		
11:47:13	2	A	Intervene what, Sir?		11:49:34	2	about this incident is it -- because it involved a		
11:47:14	3	Q	Intervene to break up fights, or to question		11:49:37	3	celebrity and a former Governor; right?		
11:47:17	4		people, or tell people to go home, anything like		11:49:41	4	A I guess you could say that		
11:47:19	5		that?		11:49:43	5	Q If it would have been just some guy off the		
11:47:19	6	A	In Coronado?		11:49:47	6	street that got in a fight at McP's, it wouldn't		
11:47:20	7	Q	Yes		11:49:49	7	have been a big deal, would it?		
11:47:21	8	A	Generally not, Sir		11:49:49	8	A That's probably what made it more of a big		
11:47:22	9	Q	Where did you see the police at McP's that		11:49:51	9	deal, yes, Sir		
11:47:25	10		evening?		11:49:54	10	Q And Miss Walker asked you about what word of		
11:47:25	11	A	I really don't recall I just remember that		11:50:01	11	this incident has done to Governor Ventura's		
11:47:27	12		they were around the area		11:50:06	12	reputation Do you recall her asking you those		
11:47:28	13	Q	Were they walking a beat?		11:50:07	13	questions?		
11:47:30	14	A	Pardon me?		11:50:07	14	A Yes, Sir		
11:47:30	15	Q	Were they walking a beat?		11:50:08	15	Q And you said you're not really familiar with		
11:47:32	16	A	Could be, Sir		11:50:10	16	whatever reputation Governor had before the		
11:47:33	17	Q	And you just don't remember?		11:50:13	17	incident; right?		
11:47:35	18	A	No, Sir		11:50:13	18	A Yes, Sir		
11:47:35	19	Q	Do you know how many policemen were there?		11:50:13	19	Q But you said by 2007, that the word of the		
11:47:37	20	A	No, Sir		11:50:17	20	incident certain -- certainly altered people's		
11:47:37	21	Q	Do you know if any policemen witnessed the		11:50:20	21	opinions in the SEAL community; right?		
11:47:41	22		commotion that you talked about?		11:50:22	22	A Yes, Sir		
11:47:42	23	A	I don't know for sure, Sir		11:50:22	23	Q And SEALs that you know of have a lower		
11:47:44	24	Q	Did you talk to Chris Kyle about whether		11:50:27	24	opinion of Governor Ventura because of this story;		
11:47:47	25		there were police there?		11:50:30	25	right?		
				Page 130					Page 132
11:47:47	1	A	No, Sir		11:50:31	1	MS. WALKER: Can you be clear about which		
11:47:48	2	Q	Based on what you told me, if police		11:50:34	2	store?		
11:48:00	3		witnessed the commotion and saw someone run down the		11:50:34	3	MR. OLSEN: The story about the incident on		
11:48:03	4		street to Danny's, it wouldn't be very hard for the		11:50:37	4	October 2006 at McP's.		
11:48:06	5		police to follow them in there, would it?		11:50:38	5	MS. WALKER: That was circulated in 2007?		
11:48:09	6	A	I don't know, Sir		11:50:41	6	THE WITNESS: I'm sorry, I'm confused now.		
11:48:11	7	Q	All right It's just straight down the		11:50:43	7	MS. WALKER: I just want to be clear that he		
11:48:13	8		street; right?		11:50:44	8	knows which circulation of stories you're talking		
11:48:14	9	A	Well, it's one -- it's a couple blocks away		11:50:47	9	about.		
11:48:25	10	Q	Will you tell me -- or you said earlier		11:50:49	10	QUESTIONS BY MR. OLSEN:		
11:48:49	11		today that the next day somebody told you that		11:50:50	11	Q Okay. After this incident in October of		
11:48:53	12		Governor Ventura had said that the SEALs deserved to		11:50:53	12	2006, the story spread; correct?		
11:48:55	13		lose a few guys; right?		11:50:57	13	A Okay.		
11:48:57	14	A	Yes, Sir		11:50:58	14	Q And it spread through the SEAL community;		
11:48:57	15	Q	And you have no memory of who told you that;		11:51:01	15	right?		
11:49:00	16		right?		11:51:01	16	A The incident, yes.		
11:49:00	17	A	No, Sir		11:51:02	17	Q And you told people about it, and you heard		
11:49:01	18	Q	And you also said that word of this supposed		11:51:04	18	about it from other people in the SEAL community;		
11:49:08	19		incident spread pretty quickly through the SEAL		11:51:05	19	right?		
11:49:11	20		community; right?		11:51:06	20	A Yes, Sir.		
11:49:12	21	A	That's correct, Sir		11:51:06	21	Q And the people you talked to had a lower		
11:49:13	22	Q	So just like you heard about it from		11:51:09	22	opinion of Governor Ventura because of what they		
11:49:15	23		somebody else, you told other people; right?		11:51:12	23	heard about what he supposedly did that night in		
11:49:18	24	A	Likely, Sir		11:51:14	24	October of 2006; right?		
11:49:20	25	Q	And the reason that you told your wife and		11:51:15	25	A Yes, Sir.		

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11:51:16	1	Q And some of the things you heard are that		11:53:43	1	in the book using an assumed name or a pseudonym?	
11:51:23	2	Governor Ventura was at a wake for a fallen war		11:53:46	2	A I don't believe so, but I don't know, Sir	
11:51:26	3	hero, with the family present, and said things to		11:53:48	3	Q Okay Did you talk to Chris Kyle at all	
11:51:29	4	the effect that he hates America; right? Did you		11:53:50	4	when he was writing his book?	
11:51:32	5	hear that?		11:53:51	5	A No, Sir, I did not	
11:51:33	6	A I never heard those things. I never heard		11:54:07	6	MR OLSEN: Let's take a break for just a	
11:51:36	7	Ventura say anything, so ...		11:54:08	7	couple of minutes	
11:51:38	8	Q I'm just asking about what you heard from		11:54:09	8	THE VIDEOGRAPHER: We're off the record at	
11:51:40	9	other people.		11:54:11	9	11:53	
11:51:41	10	A Things that I heard that were said were		11:54:12	10	(Short recess taken)	
11:51:45	11	derogatory towards Bush, the administration, and the		11:59:05	11	THE VIDEOGRAPHER: We're on the record at	
11:51:48	12	war.		11:59:19	12	11:58 Please continue	
11:51:50	13	Q Did anybody ever tell you that Governor		11:59:21	13	QUESTIONS BY MR OLSEN:	
11:51:53	14	Ventura supposedly said that Navy SEALS are		11:59:22	14	Q Mr Gassoff, has anyone informed you when	
11:51:56	15	murderers and that they're killing innocent people?		11:59:24	15	the trial in this case is scheduled to take place?	
11:51:59	16	A I believe I had heard that also, Sir.		11:59:26	16	A No, Sir	
11:52:01	17	Q Who told you that?		11:59:26	17	Q Has anyone asked you to testify at the trial	
11:52:02	18	A I don't recall.		11:59:29	18	in Minnesota?	
11:52:02	19	Q Can you think of anything worse that can be		11:59:30	19	A No, Sir	
11:52:07	20	said about a former SEAL than to claim he called		11:59:31	20	Q Do you have any plans to come testify at the	
11:52:15	21	other SEALS murderers and said SEALS deserved to		11:59:33	21	trial in Minnesota?	
11:52:19	22	die?		11:59:34	22	A No, Sir	
11:52:20	23	A Can you repeat the question, Sir?		11:59:35	23	MR OLSEN: All right That's all the	
11:52:21	24	Q Sure. Can -- can you think about anything		11:59:36	24	questions I have for you Thank you, Sir	
11:52:23	25	worse that one SEAL could say about another		11:59:39	25	THE WITNESS: Thank you, Sir	
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11:52:28	1	besides -- well, let me rephrase that question		11:59:39	1	MS WALKER: I have just a few follow-ups	
11:52:31	2	By saying that a former SEAL turned on his		11:59:40	2	It shouldn't take more than ten minutes	
11:52:38	3	own and said SEALS deserved to die, that's probably		11:59:42	3	FURTHER EXAMINATION	
11:52:42	4	the best way to ruin somebody's reputation; isn't		11:59:42	4	QUESTIONS BY MS WALKER:	
11:52:46	5	it? In the SEAL community?		11:59:45	5	Q Bobby, Mr Olsen asked you about the	
11:52:48	6	A That's not a way to get people to like you		11:59:47	6	conversations you had with Chris at the beginning of	
11:52:50	7	in our community, Sir		11:59:49	7	the year, and then in April around the time -- or in	
11:52:51	8	Q Right I mean, what do SEALS think of		11:59:53	8	the Spring around the time you signed your	
11:52:54	9	someone who would turn on their own, someone who		11:59:55	9	declaration Did -- in -- in talking to Chris, did	
11:52:57	10	would be a traitor to their own?		12:00:00	10	he try to get you to say anything that you didn't	
11:53:01	11	A What do SEALS think? I would not be		12:00:02	11	already believe or that you weren't comfortable	
11:53:04	12	comfortable speaking on what other people may or may		12:00:03	12	saying?	
11:53:07	13	not think, Sir		12:00:03	13	A No	
11:53:08	14	Q What do you think?		12:00:04	14	MR OLSEN: Objection, leading	
11:53:09	15	A I don't think very highly of it, Sir		12:00:06	15	QUESTIONS BY MS WALKER:	
11:53:18	16	Q Have you read Chris Kyle's book?		12:00:06	16	Q How did those conversations with him affect	
11:53:20	17	A No, Sir, I have not		12:00:08	17	your memory?	
11:53:21	18	Q Have you read parts of it?		12:00:09	18	A They just solidified what fragments of	
11:53:23	19	A I read a part about when Marc was killed		12:00:13	19	memory I had from the night	
11:53:31	20	Q You just don't have any interest in reading		12:00:15	20	Q Mr Olsen asked you, and I'm not going to be	
11:53:33	21	the rest of the book?		12:00:21	21	able to quote him directly, but a question along the	
11:53:35	22	A No		12:00:23	22	lines of, have you ever spoken to someone who was a	
11:53:37	23	Q Okay Do you know if you're in the book?		12:00:25	23	firstrand witness to that altercation, or the	
11:53:39	24	A No, Sir		12:00:29	24	commotion at McP's And your -- as part of your	
11:53:39	25	Q Do you know if there are stories about you		12:00:32	25	answer, you said, I can't answer accurately Do you	

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12:00:35	1	remember that?	12:03:03	1 of SEAL wakes?
12:00:35	2	A I remember the general question, yes.	12:03:05	2 A That's not -- that's certainly not the
12:00:38	3	Q What did you mean when you said you can't	12:03:11	3 perception that I have of SEAL wakes, and I've been
12:00:40	4	answer accurately?	12:03:14	4 to quite a few.
12:00:41	5	A I don't know exactly who was there, who	12:03:19	5 Q Do you think Chris exaggerated a little bit
12:00:43	6	witnessed it.	12:03:22	6 here to -- for literary effect?
12:00:47	7	Q So you may have talked to a firsthand	12:03:25	7 A I would say so.
12:00:49	8	witness, you just don't know?	12:03:29	8 Q Do you think Chris is the sort of person who
12:00:50	9	A Correct.	12:03:31	9 would exaggerate about, or lie about punching out
12:00:51	10	Q What is closing time in Coronado for the	12:03:35	10 Jesse Ventura?
12:01:00	11	bars?	12:03:37	11 MR. OLSEN: Object to the form of the
12:01:00	12	A I don't recall. It varies. Generally	12:03:37	12 question, calls for speculation.
12:01:06	13	Coronado shuts down pretty early, but I -- I	12:03:39	13 QUESTIONS BY MS. WALKER:
12:01:10	14	really -- I was married in the last few years I was	12:03:40	14 Q Based on what you know about Chris's
12:01:14	15	there and I actually didn't go out very much, so	12:03:42	15 character and his reputation, do you --
12:01:16	16	I -- I really can't recall.	12:03:44	16 MR. OLSEN: Object -- are you done? Object
12:01:18	17	Q Was it after 2 a.m., do you know?	12:03:46	17 to the form of the question.
12:01:19	18	A Oh, it's before that.	12:03:49	18 QUESTIONS BY MS. WALKER:
12:01:21	19	Q And do you -- do you know if McP's stays	12:03:49	19 Q -- do you think he would exaggerate a story
12:01:27	20	open until the normal closing time or does it shut	12:03:52	20 about punching out Jesse Ventura at a bar?
12:01:29	21	down earlier?	12:03:53	21 A No, Ma'am.
12:01:30	22	A Sometimes if there's events like this,	12:03:54	22 MR. OLSEN: Object to the form of the
12:01:32	23	they'll stay open a little bit later than normal.	12:03:56	23 question.
12:01:36	24	Q But you don't really know what normal would	12:03:56	24 MS. WALKER: Did you get the answer?
12:01:39	25	be?	12:03:56	25 THE WITNESS: No, Ma'am.
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12:01:39	1	A No	12:03:57	1 MS WALKER: I have no further questions
12:01:39	2	Q Mr Olsen read a statement to you and I'm	12:03:59	2 MR OLSEN: No further questions
12:01:50	3	going to read it And it's actually -- I'll	12:04:02	3 THE VIDEOGRAPHER: Here marks the end of
12:01:52	4	represent to you that it's from Chris's book It	12:04:03	4 disk number 2 in the deposition of Mr Gassoff
12:01:55	5	appears on page 308 in a subchapter called, Mike	12:04:06	5 Going off the record, the time is 12:03 Thank you
12:02:01	6	Monsoor And the prelude to the statement is Chris	12:04:09	6 all
12:02:06	7	finding out that Mikey had died, and then he's		7
12:02:09	8	talking about the wake		8
12:02:14	9	It reads, and I'll quote, I drove a van to		9
12:02:17	10	pick up some of the guys from the airport and helped		10
12:02:20	11	arrange Mikey's wake SEAL funerals are kind of		11
12:02:23	12	like Irish wakes, except there's a lot more		12
12:02:25	13	drinking Which begs the question, how much beer do		13
12:02:28	14	you need for a SEAL wake? That is classified		14
12:02:31	15	information but rest assured it is more than a		15
12:02:34	16	metric ass-ton		16
12:02:37	17	Does that sound to you like something Chris		17
12:02:39	18	would say?		18
12:02:40	19	A Not really, no		19
12:02:43	20	Q How do -- how do you take that statement		20
12:02:45	21	hearing it for the first time today?		21
12:02:49	22	A It's probably a generalized statement that		22
12:02:54	23	was written to sound a little bit better in the		23
12:02:57	24	book		24
12:02:59	25	Q How do you reconcile it with your perception		25

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BOB GASOFF
9/21/2012

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1 STATE OF MISSOURI
2 SS
3 CITY OF ST LOUIS
4 I, Gretta G Cairatti, RPR, CRR, MO-CCR #790,
5 IL-CSR #084-003418, and Notary Public in and for the
6 State of Missouri, duly commissioned, qualified and
7 authorized to administer oaths and to certify to
8 depositions, do hereby certify that pursuant to
9 notice in the civil cause now pending and
10 undetermined in the United States District Court for
11 the District of Minnesota, to be used in the trial
12 of said cause in said court, I was attended at the
13 offices of [REDACTED]
14 St Louis, Missouri, by the aforesaid witness; and
15 by the aforesaid attorneys; on the 21st day of
16 September, 2012
17 That the said witness, being of sound mind and
18 being by me first carefully examined and duly
19 cautioned and sworn to testify the truth, the whole
20 truth, and nothing but the truth in the case
21 aforesaid, thereupon testified as is shown in the
22 foregoing transcript, said testimony being by me
23 reported in shorthand and caused to be transcribed
24 into typewriting, and that the foregoing pages
25 correctly set forth the testimony of the

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1 aforementioned witness, together with the questions
2 propounded by counsel and remarks and objections of
3 counsel thereto, and is in all respects a full,
4 true, correct and complete transcript of the
5 questions propounded to and the answers given by
6 said witness; that signature of the deponent was
7 waived by agreement of counsel

8 I further certify that I am not of counsel or
9 attorney for either of the parties to said suit, not
10 related to nor interested in any of the parties or
11 their attorneys

12 Witness my hand and notarial seal at
13 St Louis, Missouri, this 24th day of September,
14 2012
15 My Commission expires October 29, 2012
16

17 - - - - -
18 Notary Public in and for the
19 State of Missouri
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